

-CITE-

31 USC CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND
PROGRAM INFORMATION

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE
SUBTITLE II - THE BUDGET PROCESS
CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION
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-HEAD-

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-MISC1-

Sec.
1101. Definitions.
1102. Fiscal year.
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1112. Fiscal, budget, and program information.
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1117. Exemptions. (FOOTNOTE 1)
(FOOTNOTE 1) So in original. Does not conform to section
catchline.
1118. Pilot projects for performance goals.
1119. Pilot projects for performance budgeting.

AMENDMENTS

1994 - Pub. L. 103-355, title II, Sec. 2454(c)(3)(B), Oct. 13,
1994, 108 Stat. 3326, struck out item 1114 'Budget information on
consulting services'.

1993 - Pub. L. 103-62, Sec. 11(b)(1), Aug. 3, 1993, 107 Stat.
295, added items 1115 to 1119.

-SECRET-

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1512, 9109 of this title;
title 2 section 907a; title 7 sections 934, 1932; title 19 section
2232; title 42 sections 1487, 1962b-6, 8107, 10156, 10222.

-CITE-

31 USC Sec. 1101

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TITLE 31 - MONEY AND FINANCE
SUBTITLE II - THE BUDGET PROCESS
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-HEAD-

Sec. 1101. Definitions

-STATUTE-

In this chapter -

(1) "'agency'" includes the District of Columbia government but does not include the legislative branch or the Supreme Court.

(2) "'appropriations'" means appropriated amounts and includes, in appropriate context -

(A) funds;

(B) authority to make obligations by contract before appropriations; and

(C) other authority making amounts available for obligation or expenditure.

-SOURCE-

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 907.)

-MISC1-

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1101(1)	31:2(1st-4th pars.).	June 10, 1921, ch. 18, Sec. 2(1st-5th pars.), 42 Stat. 20; Apr. 3, 1939, ch. 36, Sec. 201, 53 Stat. 565; July 31, 1953, ch. 302, Sec. 101(1st proviso in par. under heading "'Bureau of the Budget'"), 67 Stat. 299.
1101(2)	31:2(last par.).	June 10, 1921, ch. 18, 42 Stat. 20, Sec. 2(last par.); added Sept. 12, 1950, ch. 946, Sec. 101, 64 Stat. 832.

In the section, a reference to 31:71 and 471 is omitted because the definitions in the section are not used in 31:71 and 471.

In clause (1), "'agency'" (which is defined for purposes of this title in section 101 to mean a department, agency, or instrumentality of the United States) is coextensive with and substituted for the term "'department or establishment'" which was defined in 31:2 as in part meaning "'any executive department, independent commission, board, bureau, office, agency, or other establishment of the Government, including any independent regulatory commission or board'". This definition merely restates and continues, and does not in any way change or expand, the definition in 31:2. Under that definition, entities such as the Tennessee Valley Authority that have been interpreted to be outside the purview of the definition will continue to be outside the purview in the same manner and to the same extent that they were under 31:2. The words "'includes the District of Columbia government'" are used because of existing law but the inclusion of these words is not to be interpreted as construing the extent to which the District of Columbia Self-Government and Governmental

Reorganizational Act (Pub. L. 93-198, 87 Stat. 774) supersedes the provisions codified in this title. The words "'of the United States'" are omitted as surplus. The text of 31:2(2d-4th pars.) is omitted as unnecessary because of the restatement. The text of section 2(3d par.) of the Budget and Accounting Act, 1921 (ch. 18, 42 Stat. 20), is omitted as obsolete because of section 501 of the revised title.

SHORT TITLE OF 1993 AMENDMENT

Pub. L. 103-62, Sec. 1, Aug. 3, 1993, 107 Stat. 285, provided that: "'This Act (enacting sections 1115 to 1119, 9703, and 9704 of this title, section 306 of Title 5, Government Organization and Employees, and sections 2801 to 2805 of Title 39, Postal Service, amending section 1105 of this title, and enacting provisions set out as notes under section 1115 of this title) may be cited as the 'Government Performance and Results Act of 1993'.'"'

SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98-501, title II, Sec. 201, Oct. 19, 1984, 98 Stat. 2324, provided that: "'This title (amending section 1105 of this title and enacting provisions set out as a note under section 1105 of this title) may be cited as the 'Federal Capital Investment Program Information Act of 1984'.'"'

-EXEC-

EX. ORD. NO. 13037. COMMISSION TO STUDY CAPITAL BUDGETING

Ex. Ord. No. 13037, Mar. 3, 1997, 62 F.R. 10185, as amended by Ex. Ord. No. 13066, Oct. 29, 1997, 62 F.R. 59273, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Advisory Committee Act, as amended (5 U.S.C. App.), it is hereby ordered as follows:

Section 1. Establishment. There is established the Commission to Study Capital Budgeting ("Commission"). The Commission shall be bipartisan and shall be composed of no more than 20 members appointed by the President. The members of the Commission shall be chosen from among individuals with expertise in public and private finance, government officials, and leaders in the labor and business communities. The President shall designate two co-chairs from among the members of the Commission.

Sec. 2. Functions. The Commission shall report on the following:

(a) Capital budgeting practices in other countries, in State and local governments in this country, and in the private sector; the differences and similarities in their capital budgeting concepts and processes; and the pertinence of their capital budgeting practices for budget decisionmaking and accounting for actual budget outcomes by the Federal Government;

(b) The appropriate definition of capital for Federal budgeting, including: use of capital for the Federal Government itself or the economy at large; ownership by the Federal Government or some other entity; defense and nondefense capital; physical capital and intangible or human capital; distinctions among investments in and for current, future, and retired workers; distinctions between capital to increase productivity and capital to enhance the quality of life; and existing definitions of capital for budgeting;

(c) The role of depreciation in capital budgeting, and the concept and measurement of depreciation for purposes of a Federal capital budget; and

(d) The effect of a Federal capital budget on budgetary choices between capital and noncapital means of achieving public objectives; implications for macroeconomic stability; and potential mechanisms for budgetary discipline.

Sec. 3. Report. The Commission shall adopt its report through

majority vote of its full membership. The Commission shall report to the National Economic Council within 1 year from its first meeting.

Sec. 4. Administration. (a) Members of the Commission shall serve without compensation for their work on the Commission. While engaged in the work of the Commission, members appointed from among private citizens of the United States may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701-5707).

(b) The Department of the Treasury shall provide the Commission with funding and administrative support. The Commission may have a paid staff, including detailees from Federal agencies. The Secretary of the Treasury shall perform the functions of the President under the Federal Advisory Committee Act, as amended (5 U.S.C. App.), except that of reporting to the Congress, in accordance with the guidelines and procedures established by the Administrator of General Services.

Sec. 5. General Provisions. The Commission shall terminate 30 days after submitting its report. William J. Clinton.

-SECREP-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1108 of this title.

-CITE-

31 USC Sec. 1102

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-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

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-HEAD-

Sec. 1102. Fiscal year

-STATUTE-

The fiscal year of the Treasury begins on October 1 of each year and ends on September 30 of the following year. Accounts of receipts and expenditures required under law to be published each year shall be published for the fiscal year.

-SOURCE-

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 908.)

-MISC1-

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1102	31:1020.	R.S. Sec. 237; Oct. 1, 1890, ch. 1256, Sec. 9, 26 Stat. 646; restated July 12, 1974, Pub. L. 93-344, Sec. 501, 88 Stat. 321.

The words "in all matters of accounts, receipts, expenditures,

estimates, and appropriations'' are omitted as being included in ''fiscal''. The word ''prepared'' is omitted as being included in ''published''. The words ''as established by subsection (a) of this section'' are omitted as unnecessary because of the restatement. The text of 31:1020(a)(1) and the words ''beginning on October 1, 1976'' are omitted as executed.

FISCAL YEAR TRANSITION PERIOD OF JULY 1, 1976, THROUGH SEPTEMBER 30, 1976

Pub. L. 94-274, Apr. 21, 1976, 90 Stat. 383, provided for an orderly transition to the new Oct. 1 to Sept. 30 fiscal year for particular acts by specifying how the period of July 1, 1976, through Sept. 30, 1976, was to be treated for fiscal year purposes.

-CITE-

31 USC Sec. 1103

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

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-HEAD-

Sec. 1103. Budget ceiling

-STATUTE-

Congress reaffirms its commitment that budget outlays of the United States Government for a fiscal year may be not more than the receipts of the Government for that year.

-SOURCE-

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 908.)

-MISC1-

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1103	31:27.	Oct. 10, 1978, Pub. L. 95-435, Sec. 7, 92 Stat. 1053; restated Oct. 7, 1980, Pub. L. 96-389, Sec. 3, 94 Stat. 1553.

The word ''total'' is omitted as surplus. The words ''for a fiscal year'' are substituted for ''beginning with Fiscal Year 1981'' because of the restatement and to eliminate executed words. The words ''for that year'' are added because of the restatement.

-SECFREF-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 2 section 907a.

-CITE-

31 USC Sec. 1104

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

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-HEAD-

Sec. 1104. Budget and appropriations authority of the President

-STATUTE-

(a) The President shall prepare budgets of the United States Government under section 1105 of this title and proposed deficiency and supplemental appropriations under section 1107 of this title. To the extent practicable, the President shall use uniform terms in stating the purposes and conditions of appropriations.

(b) Except as provided in this chapter, the President shall prescribe the contents and order of statements in the budget on expenditures and estimated expenditures and statements on proposed appropriations and information submitted with the budget and proposed appropriations. The President shall include with the budget and proposed appropriations information on personnel and other objects of expenditure in the way that information was included in the budget for fiscal year 1950. However, the requirement that information be included in the budget in that way may be waived or changed by joint action of the Committees on Appropriations of both Houses of Congress. This subsection does not limit the authority of a committee of Congress to request information in a form it prescribes.

(c) When the President makes a basic change in the form of the budget, the President shall submit with the budget information showing where items in the budget for the prior fiscal year are contained in the present budget. However, the President may change the functional categories in the budget only in consultation with the Committees on Appropriations and on the Budget of both Houses of Congress. Committees of the House of Representatives and Senate shall receive prompt notification of all such changes.

(d) The President shall develop programs and prescribe regulations to improve the compilation, analysis, publication, and dissemination of statistical information by executive agencies. The President shall carry out this subsection through the Administrator for the Office of Information and Regulatory Affairs in the Office of Management and Budget.

(e) Under regulations prescribed by the President, each agency shall provide information required by the President in carrying out this chapter. The President has access to, and may inspect, records of an agency to obtain information.

-SOURCE-

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 908; Pub. L. 99-177, title II, Sec. 224, Dec. 12, 1985, 99 Stat. 1060.)

-MISC1-

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1104(a)	31:16(last sentence related to preparation of budgets and appropriations).	June 10, 1921, ch. 18, Sec. 207(last sentence related to preparation of budgets and appropriations), 42

		Stat. 22; restated Sept. 12, 1950, ch. 946, Sec. 102(e), 64 Stat. 833; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085.
	31:623.	June 23, 1913, ch. 3, Sec. 3, 38 Stat. 75; Reorg. Plan No. 1 of 1939, eff. July 1, 1939, Sec. 1, 53 Stat. 1423; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085.
1104 (b)	31:581.	June 10, 1921, ch. 18, Sec. 204, 42 Stat. 21; restated Sept. 12, 1950, ch. 946, Sec. 102(c), 64 Stat. 833.
1104 (c)	31:11d.	July 12, 1974, Pub. L. 93-344, Sec. 802, 88 Stat. 330.
	31:581a.	June 10, 1921, ch. 18, Sec. 205, 42 Stat. 21; restated Sept. 12, 1950, ch. 946, Sec. 102(d), 64 Stat. 833.
1104 (d)	31:18b.	Sept. 12, 1950, ch. 946, Sec. 103, 64 Stat. 834; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085.
	44:3503 (note) .	Dec. 11, 1980, Pub. L. 96-511, Sec. 3(a), 94 Stat. 2825.
1104 (e)	31:21.	June 10, 1921, ch. 18, Sec. 213, 42 Stat. 23; Reorg. Plan No. 1 of 1939, eff. July 1, 1939, Sec. 1, 53 Stat. 1423; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085.

 In the section, the word ''President'' is substituted for
 ''Office'' in 31:16(last sentence), ''President, through the
 Director of the Office of Management and Budget'' in 31:18b,

'President and the Director of the Office of Management and Budget' in 44:3503(note), and 'Office of Management and Budget' in 31:21 and 623, because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085), designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President.

In subsection (a), the words 'under such rules and regulations as the President may prescribe' in 31:16(last sentence) are omitted as unnecessary because of section 101 of Reorganization Plan No. 2 of 1970. The words 'use uniform terms in stating' are substituted for 'make uniform the language commonly used in expressing' in 31:623 for consistency. The words 'eliminate from all estimates unnecessary words' are omitted as unnecessary because of the authority of the President under this subsection to prepare the budget. The text of section 3(words before semicolon) in the Act of June 23, 1913 (ch. 13, 38 Stat. 75) is omitted as superseded by 31:ch. 1 and 31:581.

In subsection (b), the word 'arrangement' is omitted as being included in 'order'. The word 'information' is substituted for 'notes and other data', and the word 'submitted' is substituted for 'transmitted', for consistency. The words 'The President shall include' are substituted for 'shall be accompanied by' because of the authority of the President under subsection (a) to prepare the budget. The words 'proposed appropriations' are substituted for 'proposed supplemental or deficiency appropriations' because of the restatement. The word 'personnel' is substituted for 'personal services' for clarity. The word 'way' is substituted for 'manner and form' for consistency. The words 'either generally or in specific cases' are omitted as surplus. The word 'request' is substituted for 'request and receive' to eliminate unnecessary words. The words 'it prescribes' are substituted for 'as they may desire in consideration of and action upon budget estimates' to eliminate unnecessary words.

In subsection (c), the words 'President makes' are substituted for 'is made' in 31:581a as being more precise. The word 'information' is substituted for 'explanatory notes and tables' for consistency in the revised title. The words 'to Congress', 'as may be necessary', and 'various' are omitted as surplus. The words 'The President may change' are substituted for 'Any change . . . shall be made only' in 31:11d because the President prepares and submits the budget under 31:11. The word 'budget' is substituted for 'Budget of the United States Government transmitted pursuant to section 11 of this title' to eliminate unnecessary words and for consistency in the chapter.

In subsection (d), the word 'gathering' in 31:18b is omitted as being included in 'compilation'. The text of 31:18b(last sentence) is omitted as unnecessary because of the restatement of the source provisions in subsection (e). The words 'carry out . . . through' are substituted for 'delegate to' in 44:3503(note) for consistency.

In subsection (e), the word 'provide' is substituted for 'furnish' for consistency. The words 'required by the President in carrying out this chapter' are substituted for 'as the Office may from time to time require' because of section 101 of Reorganization Plan No. 2 of 1970 and to provide comparable limiting language on when information may be required. The words 'the director and the assistant director, or any employee of the Office when duly authorized' are omitted because of 3:301. The word 'inspect' is substituted for 'examine' for consistency in the revised title. The word 'records' is substituted for

'books, documents, papers, or records' for consistency in the revised title and with other titles of the United States Code.

AMENDMENTS

1985 - Subsec. (c). Pub. L. 99-177 inserted provisions relating to notice to committees of House of Representatives and Senate.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-177 effective Dec. 12, 1985, and applicable with respect to fiscal years beginning after Sept. 30, 1985, see section 275(a)(1) of Pub. L. 99-177, set out as an Effective and Termination Dates note under section 900 of Title 2, The Congress.

-EXEC-

EX. ORD. NO. 10253. PROVISIONS FOR IMPROVEMENT OF WORK OF FEDERAL EXECUTIVE AGENCIES WITH RESPECT TO STATISTICAL INFORMATION

Ex. Ord. No. 10253, June 11, 1951, 16 F.R. 5605, as amended by Ex. Ord. No. 12013, Oct. 7, 1977, 42 F.R. 54931; Ex. Ord. No. 12318, Aug. 12, 1981, 46 F.R. 42833, provided:

Section 1. The Director of the Office of Management and Budget (hereinafter referred to as the Director) shall develop programs, and issue regulations and orders, for the improved gathering, compiling, analyzing, publishing, and disseminating of statistical information for any purpose by the various agencies in the executive branch of the Federal Government.

Sec. 2. In order to carry out the provisions of Section 1 of this order, the Director shall maintain a continuing study for the improvement of the statistical work of the agencies in the executive branch of the Federal Government with a view to obtaining the maximum benefit from the funds and facilities available for such work, giving due consideration to the constantly changing character of the various needs for statistical information both within and without the Government and, where the statistical work is primarily concerned with operating programs, giving due consideration to administrative needs, statutory requirements, and the needs involved in the development of administrative and legislative recommendations. The Director, either upon his own initiative or upon the request of any such agency, shall (a) provide for the interchange of information calculated to improve statistical work, (b) make appropriate arrangements for improving statistical work involving relationships between two or more agencies, and (c) assist the agencies, by other means, to improve their statistical work.

Sec. 3. The following shall be included among the objectives sought in carrying out the provisions of Section 1 hereof:

(a) To achieve an adequate program of statistical work in the agencies of the executive branch, in relation to over-all needs for statistical information, including the filling of gaps and overcoming of weaknesses in presently available statistical information.

(b) To achieve the most effective use of resources available for statistical work by the agencies, in relation to over-all needs.

(c) To minimize the burden upon those furnishing statistical data needed by the various Federal agencies.

(d) To improve the reliability and timeliness of statistical information.

(e) To achieve maximum comparability among the several statistical series and studies.

(f) To improve the presentation of statistical information and of explanations regarding the sources and reliability of such information, and regarding the limitations on the uses that can appropriately be made of it.

Sec. 4. Regulations and orders issued pursuant to Section 1 hereof shall be signed by the Director. When so signed, such regulations and orders shall require no further approval and shall be adhered to by all agencies in the executive branch. Any such regulation or order may pertain to a single agency, a group of agencies, or all agencies in the executive branch.

Sec. 5. In the development of programs and the preparation of regulations and orders for issuance pursuant to Section 1 hereof, the Director shall consult Federal agencies whose activities will be substantially affected, and may consult non-Federal groups to the extent he finds it necessary to carry out the purposes of this order.

Sec. 6. The authority outlined in this order is in addition to and not in substitution for the existing authority of the Director, or of the Office of Management and Budget, with respect to statistical and reporting activities. To the extent, however, that this order conflicts with any previous Executive order affecting statistical or reporting activities, the provisions of this order shall control.

Sec. 7. As required by Section 3(a) of the Paperwork Reduction Act of 1980 (94 Stat. 2825; 44 U.S.C. 3503 note), the Director shall redelegate to the Administrator for the Office of Information and Regulatory Affairs, Office of Management and Budget, all functions, authority, and responsibility under Section 103 of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 18b) (31 U.S.C. 1104(d)) which have been vested in the Director by this Order.

Sec. 8. (Revoked by Ex. Ord. No. 12318, Aug. 21, 1981, 46 F.R. 42833.)

-SECRET-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 20 section 76j.

-CITE-

31 USC Sec. 1105

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1105. Budget contents and submission to Congress

-STATUTE-

(a) On or after the first Monday in January but not later than the first Monday in February of each year, the President shall submit a budget of the United States Government for the following fiscal year. Each budget shall include a budget message and summary and supporting information. The President shall include in each budget the following:

(1) information on activities and functions of the Government.

(2) when practicable, information on costs and achievements of Government programs.

(3) other desirable classifications of information.

(4) a reconciliation of the summary information on expenditures with proposed appropriations.

(5) except as provided in subsection (b) of this section, estimated expenditures and proposed appropriations the President decides are necessary to support the Government in the fiscal

year for which the budget is submitted and the 4 fiscal years after that year.

(6) estimated receipts of the Government in the fiscal year for which the budget is submitted and the 4 fiscal years after that year under -

(A) laws in effect when the budget is submitted; and

(B) proposals in the budget to increase revenues.

(7) appropriations, expenditures, and receipts of the Government in the prior fiscal year.

(8) estimated expenditures and receipts, and appropriations and proposed appropriations, of the Government for the current fiscal year.

(9) balanced statements of the -

(A) condition of the Treasury at the end of the prior fiscal year;

(B) estimated condition of the Treasury at the end of the current fiscal year; and

(C) estimated condition of the Treasury at the end of the fiscal year for which the budget is submitted if financial proposals in the budget are adopted.

(10) essential information about the debt of the Government.

(11) other financial information the President decides is desirable to explain in practicable detail the financial condition of the Government.

(12) for each proposal in the budget for legislation that would establish or expand a Government activity or function, a table showing -

(A) the amount proposed in the budget for appropriation and for expenditure because of the proposal in the fiscal year for which the budget is submitted; and

(B) the estimated appropriation required because of the proposal for each of the 4 fiscal years after that year that the proposal will be in effect.

(13) an allowance for additional estimated expenditures and proposed appropriations for the fiscal year for which the budget is submitted.

(14) an allowance for unanticipated uncontrollable expenditures for that year.

(15) a separate statement on each of the items referred to in section 301(a)(1)-(5) of the Congressional Budget Act of 1974 (2 U.S.C. 632(a)(1)-(5)).

(16) the level of tax expenditures under existing law in the tax expenditures budget (as defined in section 3(a)(3) of the Congressional Budget Act of 1974 (2 U.S.C. 622(a)(3))) for the fiscal year for which the budget is submitted, considering projected economic factors and changes in the existing levels based on proposals in the budget.

(17) information on estimates of appropriations for the fiscal year following the fiscal year for which the budget is submitted for grants, contracts, and other payments under each program for which there is an authorization of appropriations for that following fiscal year when the appropriations are authorized to be included in an appropriation law for the fiscal year before the fiscal year in which the appropriation is to be available for obligation.

(18) a comparison of the total amount of budget outlays for the prior fiscal year, estimated in the budget submitted for that year, for each major program having relatively uncontrollable outlays with the total amount of outlays for that program in that year.

(19) a comparison of the total amount of receipts for the prior

fiscal year, estimated in the budget submitted for that year, with receipts received in that year, and for each major source of receipts, a comparison of the amount of receipts estimated in that budget with the amount of receipts from that source in that year.

(20) an analysis and explanation of the differences between each amount compared under clauses (18) and (19) of this subsection.

(21) a horizontal budget showing -

(A) the programs for meteorology and of the National Climate Program established under section 5 of the National Climate Program Act (15 U.S.C. 2904);

(B) specific aspects of the program of, and appropriations for, each agency; and

(C) estimated goals and financial requirements.

(22) a statement of budget authority, proposed budget authority, budget outlays, and proposed budget outlays, and descriptive information in terms of -

(A) a detailed structure of national needs that refers to the missions and programs of agencies (as defined in section 101 of this title); and

(B) the missions and basic programs.

(23) separate appropriation accounts for appropriations under the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) and the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.).

(24) recommendations on the return of Government capital to the Treasury by a mixed-ownership corporation (as defined in section 9101(2) of this title) that the President decides are desirable.

(25) a separate appropriation account for appropriations for each Office of Inspector General of an establishment defined under section 11(2) of the Inspector General Act of 1978.

(26) a separate statement of the amount of appropriations requested for the Office of National Drug Control Policy and each program of the National Drug Control Program.

(27) a separate statement of the amount of appropriations requested for the Office of Federal Financial Management.

(28) beginning with fiscal year 1999, a Federal Government performance plan for the overall budget as provided for under section 1115.

(29) information about the Violent Crime Reduction Trust Fund, including a separate statement of amounts in that Trust Fund.

(30) an analysis displaying, by agency, proposed reductions in full-time equivalent positions compared to the current year's level in order to comply with section 5 of the Federal Workforce Restructuring Act of 1994.

(32) (FOOTNOTE 1) a statement of the levels of budget authority and outlays for each program assumed to be extended in the baseline as provided in section 257(b)(2)(A) and for excise taxes assumed to be extended under section 257(b)(2)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(FOOTNOTE 1) So in original. There is no par. (31).

(b) Estimated expenditures and proposed appropriations for the legislative branch and the judicial branch to be included in each budget under subsection (a)(5) of this section shall be submitted to the President before October 16 of each year and included in the budget by the President without change.

(c) The President shall recommend in the budget appropriate action to meet an estimated deficiency when the estimated receipts for the fiscal year for which the budget is submitted (under laws in effect when the budget is submitted) and the estimated amounts

in the Treasury at the end of the current fiscal year available for expenditure in the fiscal year for which the budget is submitted, are less than the estimated expenditures for that year. The President shall make recommendations required by the public interest when the estimated receipts and estimated amounts in the Treasury are more than the estimated expenditures.

(d) When the President submits a budget or supporting information about a budget, the President shall include a statement on all changes about the current fiscal year that were made before the budget or information was submitted.

(e)(1) The President shall submit with materials related to each budget transmitted under subsection (a) on or after January 1, 1985, an analysis for the ensuing fiscal year that shall identify requested appropriations or new obligational authority and outlays for each major program that may be classified as a public civilian capital investment program and for each major program that may be classified as a military capital investment program, and shall contain summaries of the total amount of such appropriations or new obligational authority and outlays for public civilian capital investment programs and summaries of the total amount of such appropriations or new obligational authority and outlays for military capital investment programs. In addition, the analysis under this paragraph shall contain -

(A) an estimate of the current service levels of public civilian capital investment and of military capital investment and alternative high and low levels of such investments over a period of ten years in current dollars and over a period of five years in constant dollars;

(B) the most recent assessment analysis and summary, in a standard format, of public civilian capital investment needs in each major program area over a period of ten years;

(C) an identification and analysis of the principal policy issues that affect estimated public civilian capital investment needs for each major program; and

(D) an identification and analysis of factors that affect estimated public civilian capital investment needs for each major program, including but not limited to the following factors:

(i) economic assumptions;

(ii) engineering standards;

(iii) estimates of spending for operation and maintenance;

(iv) estimates of expenditures for similar investments by State and local governments; and

(v) estimates of demand for public services derived from such capital investments and estimates of the service capacity of such investments.

To the extent that any analysis required by this paragraph relates to any program for which Federal financial assistance is distributed under a formula prescribed by law, such analysis shall be organized by State and within each State by major metropolitan area if data are available.

(2) For purposes of this subsection, any appropriation, new obligational authority, or outlay shall be classified as a public civilian capital investment to the extent that such appropriation, authority, or outlay will be used for the construction, acquisition, or rehabilitation of any physical asset that is capable of being used to produce services or other benefits for a number of years and is not classified as a military capital investment under paragraph (3). Such assets shall include (but not be limited to) -

(A) roadways or bridges,

(B) airports or airway facilities,

- (C) mass transportation systems,
- (D) wastewater treatment or related facilities,
- (E) water resources projects,
- (F) hospitals,
- (G) resource recovery facilities,
- (H) public buildings,
- (I) space or communications facilities,
- (J) railroads, and
- (K) federally assisted housing.

(3) For purposes of this subsection, any appropriation, new obligational authority, or outlay shall be classified as a military capital investment to the extent that such appropriation, authority, or outlay will be used for the construction, acquisition, or rehabilitation of any physical asset that is capable of being used to produce services or other benefits for purposes of national defense and security for a number of years. Such assets shall include military bases, posts, installations, and facilities.

(4) Criteria and guidelines for use in the identification of public civilian and military capital investments, for distinguishing between public civilian and military capital investments, and for distinguishing between major and nonmajor capital investment programs shall be issued by the Director of the Office of Management and Budget after consultation with the Comptroller General and the Congressional Budget Office. The analysis submitted under this subsection shall be accompanied by an explanation of such criteria and guidelines.

(5) For purposes of this subsection -

(A) the term "construction" includes the design, planning, and erection of new structures and facilities, the expansion of existing structures and facilities, the reconstruction of a project at an existing site or adjacent to an existing site, and the installation of initial and replacement equipment for such structures and facilities;

(B) the term "acquisition" includes the addition of land, sites, equipment, structures, facilities, or rolling stock by purchase, lease-purchase, trade, or donation; and

(C) the term "rehabilitation" includes the alteration of or correction of deficiencies in an existing structure or facility so as to extend the useful life or improve the effectiveness of the structure or facility, the modernization or replacement of equipment at an existing structure or facility, and the modernization of, or replacement of parts for, rolling stock.

((f) Omitted.)

(g) (1) The Director of the Office of Management and Budget shall establish the funding for advisory and assistance services for each department and agency as a separate object class in each budget annually submitted to the Congress under this section.

(2) (A) In paragraph (1), except as provided in subparagraph (B), the term "advisory and assistance services" means the following services when provided by nongovernmental sources:

- (i) Management and professional support services.
- (ii) Studies, analyses, and evaluations.
- (iii) Engineering and technical services.

(B) In paragraph (1), the term "advisory and assistance services" does not include the following services:

(i) Routine automated data processing and telecommunications services unless such services are an integral part of a contract for the procurement of advisory and assistance services.

(ii) Architectural and engineering services, as defined in section 901 of the Brooks Architect-Engineers Act (40 U.S.C.

541).

(iii) Research on basic mathematics or medical, biological, physical, social, psychological, or other phenomena.

-SOURCE-

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 908; Pub. L. 97-452, Sec. 1(2), Jan. 12, 1983, 96 Stat. 2467; Pub. L. 98-501, title II, Sec. 203, Oct. 19, 1984, 98 Stat. 2324; Pub. L. 99-177, title II, Sec. 241, Dec. 12, 1985, 99 Stat. 1063; Pub. L. 100-119, title I, Sec. 106(f), Sept. 29, 1987, 101 Stat. 781; Pub. L. 100-418, title V, Sec. 5301, Aug. 23, 1988, 102 Stat. 1462; Pub. L. 100-504, title I, Sec. 108, Oct. 18, 1988, 102 Stat. 2529; Pub. L. 100-690, title I, Sec. 1006, Nov. 18, 1988, 102 Stat. 4187; Pub. L. 101-508, title XIII, Sec. 13112(c), Nov. 5, 1990, 104 Stat. 1388-608; Pub. L. 101-576, title II, Sec. 203(b), Nov. 15, 1990, 104 Stat. 2841; Pub. L. 103-62, Sec. 4(a), Aug. 3, 1993, 107 Stat. 286; Pub. L. 103-272, Sec. 4(f)(1)(E), July 5, 1994, 108 Stat. 1362; Pub. L. 103-322, title XXXI, Sec. 310001(e), Sept. 13, 1994, 108 Stat. 2103; Pub. L. 103-355, title II, Sec. 2454(a), Oct. 13, 1994, 108 Stat. 3326; Pub. L. 104-287, Sec. 4(1), Oct. 11, 1996, 110 Stat. 3388; Pub. L. 105-33, title X, Sec. 10209(b), Aug. 5, 1997, 111 Stat. 711.)

-STATAMEND-

AMENDMENT OF SECTION

For repeal of amendment by section 1506 of Title 21, Food and Drugs, see Effective and Termination Dates of 1988 Amendments note below.

-MISC1-

Historical and Revision Notes
1982 Act

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1105(a) (1) - (14)	31:11(a) (less (5) (words after 2d comma)).	June 10, 1921, ch. 18, Sec. 201(a), 42 Stat. 20; restated Sept. 12, 1950, ch. 946, Sec. 102(a), 64 Stat. 832; Aug. 1, 1956, ch. 814, Sec. 1(a), 70 Stat. 782; Oct. 26, 1970, Pub. L. 91-510, Sec. 221(a), 84 Stat. 1169; July 12, 1974, Pub. L. 93-344, Sec. 603, 604, 88 Stat. 324.
	31:19.	June 10, 1921, ch. 18, Sec. 211, 42 Stat. 22; Reorg. Plan No. 1 of 1939, eff. July 1, 1939, Sec. 1, 53 Stat. 1423; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat.

1105 (a) (15)	31:11 (d) .	2085. June 10, 1921, ch. 18, 42 Stat. 20, Sec. 201(d) - (f), (g) (last sentence) - (i) (1st sentence); added July 12, 1974, Pub. L. 93- 344, Sec. 601, 88 Stat. 323.
1105 (a) (16)	31:11 (e) .	
1105 (a) (17)	31:11 (h) .	
1105 (a) (18) - (20)	31:11 (f) .	
1105 (a) (21)	31:25	Oct. 18, 1962, Pub. L. 87-843, Sec. 304 (1st par.), 76 Stat. 1097; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085; Sept. 17, 1978, Pub. L. 95-367, Sec. 5(g) (2), 92 Stat. 603.
1105 (a) (22)	31:11 (i) (1st sentence) .	
1105 (a) (23)	31:11 (note) .	Nov. 9, 1977, Pub. L. 95-164, Sec. 305, 91 Stat. 1322.
1105 (a) (24)	31:859.	Dec. 6, 1945, ch. 557, Sec. 204, 59 Stat. 601.
1105 (b)	28:605 (last par.) . 31:11 (a) (5) (words after 2d comma) .	
1105 (c)	31:13.	June 10, 1921, ch. 18, Sec. 202, 42 Stat. 21.
1105 (d)	31:11 (g) (last sentence) .	

In the section, the word 'current' is substituted for 'in progress', and the word 'prior' is substituted for 'last completed', for consistency in the revised title.

In subsection (a), before clause (1), the text of 31:19 is omitted as superseded by the broader authority of 31:11(a) (5). The words 'for the following fiscal year' are added for clarity. The words 'summary and supporting information' are substituted for 'summary data and text, and supporting detail' in the introductory matter of 31:11(a) for consistency. The words 'in such form and detail as the President may determine' are omitted as unnecessary because of the authority of the President under section 1104(a) of the revised title to prepare the budget. The words 'The President shall . . . in each budget the following' are substituted for 'The Budget transmitted pursuant to subsection (a) of this section for each fiscal year shall' in 31:11(d) - (f), (h), and (i) because of the restatement. The word 'President' is substituted for 'Office of Management and Budget' in 31:25 because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of

the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President. The words ''in connection with the budget presentation for fiscal year 1964 and each succeeding year thereafter'' are omitted as executed.

In subsection (a)(1), the words ''information on'' are added for clarity.

In subsection (a)(2), the word ''Government'' is added for clarity.

In subsection (a)(3), the word ''information'' is substituted for ''data'' for consistency.

In subsection (a)(5) and (6), the words ''fiscal year for which the budget is submitted'' are substituted for ''ensuing fiscal year'' the first time they appear for clarity. The words ''the 4 fiscal years after that year'' are substituted for ''projections for the four fiscal years immediately following the ensuing fiscal year'' to eliminate unnecessary words.

In subsection (a)(6), the words ''proposals . . . to increase revenues'' are substituted for ''revenue proposals'' for consistency in the revised title.

In subsection (a)(7), the word ''actual'' is omitted as surplus.

In subsection (a)(8), the words ''appropriations and'' are substituted for ''actual or'' for clarity.

In subsection (a)(9), the words ''fiscal year for which the budget is submitted'' are substituted for ''ensuing fiscal year'' for clarity.

In subsection (a)(10), the words ''bonded and other'' are omitted as surplus.

In subsection (a)(11), the words ''information the President decides'' are substituted for ''statements and data as in his opinion'' for clarity and consistency. The word ''desirable'' is substituted for ''necessary or desirable'' and the words ''to explain'' are substituted for ''in order to make known'', to eliminate unnecessary words.

In subsection (a)(12), before subclause (A), the word ''legislation'' is substituted for ''new or additional legislation'' to eliminate unnecessary words. The words ''activity or function'' are substituted for ''function, activity, or authority'' for consistency. The words ''in addition to those functions, activities, and authorities then existing or as then being administered and operated'' are omitted as surplus.

In subsection (a)(16), the words ''fiscal year for which the budget is submitted'' are substituted for ''such fiscal year'' for clarity.

In subsection (a)(17), the words ''fiscal year following the fiscal year for which the budget is submitted'' are substituted for ''next succeeding fiscal year'', the words ''that following fiscal year'' are substituted for ''such succeeding fiscal year'', and the words ''fiscal year before'' are substituted for ''fiscal year preceding'', for clarity and consistency.

In subsection (a)(18), the words ''uncontrollable or'' are omitted as being included in ''relatively uncontrollable''.

In subsection (a)(19) and (20), the word ''receipts'' is substituted for ''revenues'' for consistency in the revised title.

Subsection (a)(20) is substituted for 31:11(f)(3) to eliminate unnecessary words.

In subsection (a)(21), the words ''the totality of'' are omitted as surplus.

In subsection (a)(22), the words ''budget outlays'' are substituted for ''outlays'' for consistency. The words ''beginning with the fiscal year ending September 30, 1979'' are omitted as executed.

In subsection (a)(23), the words "for appropriations" are substituted for "amounts required for appropriations" to eliminate unnecessary words. The words "for mine health and safety" and "for occupational safety and health" are omitted as unnecessary because of the restatement.

In subsection (a)(24), the words "(as defined in section 9101(2) of this title)" are added because the subsection is based on a law to which the defined term applies. The words "decides are desirable" are substituted for "may wish to make" for consistency.

In subsection (b), the words "for such years" in 31:11(a)(5) (words after 2d comma) are omitted because of the restatement. The words "of the United States" and "by him" are omitted as surplus. The words "to be included in each budget under subsection (a)(5) of this section" are added because of the restatement. The words "before October 16" are substituted for "on or before October 15", and the word "change" is substituted for "revision", for consistency.

In subsection (c), the words "new taxes, loans, or other" are omitted as being included in "appropriate action". The words "in effect" are substituted for "existing" for consistency. The word "aggregate" is omitted as surplus.

In subsection (d), the words "When the President submits a budget or supporting information about a budget, the President" are substituted for "The Budget transmitted pursuant to subsection (a) of this section for any fiscal year, or the supporting detail transmitted in connection therewith" because of the restatement. The word "changes" is substituted for "amendments and revisions" to eliminate unnecessary words.

1983 Act

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1105(a)(25)	31 App.:11(k)(1).	June 10, 1921, ch. 18, 42 Stat. 20, Sec. 201(k)(1); added Sept. 8, 1982, Pub. L. 97-255, Sec. 3, 96 Stat. 815.

The words "The President shall include in the supporting detail accompanying each Budget" are omitted as being included in the introductory provisions of 31:1105(a). The words "submitted on or after January 1, 1983" are omitted as executed. The words "by the President" and "if any" are omitted as surplus.

-REFTEXT-

REFERENCES IN TEXT

The Occupational Safety and Health Act of 1970, referred to in subsec. (a)(23), is Pub. L. 91-596, Dec. 29, 1970, 84 Stat. 1590, as amended, which is classified principally to chapter 15 (Sec. 651 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 651 of Title 29 and Tables.

The Federal Mine Safety and Health Act of 1977, referred to in subsec. (a)(23), is Pub. L. 95-173, Dec. 30, 1977, 83 Stat. 742, as amended by Pub. L. 95-164, title I, Sec. 101, Nov. 9, 1977, 91 Stat. 1290, which is classified principally to chapter 22 (Sec. 801

et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 801 of Title 30 and Tables.

Section 11(2) of the Inspector General Act of 1978, referred to in subsec. (a)(25), is section 11(2) of Pub. L. 95-452, which is set out in the Appendix to Title 5, Government Organization and Employees.

Section 5 of the Federal Workforce Restructuring Act of 1994, referred to in subsec. (a)(30), is section 5 of Pub. L. 103-226, which is set out as a note under section 3101 of Title 5, Government Organization and Employees.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985, referred to in subsec. (a)(32), is classified to section 907(b)(2) of Title 2, The Congress.

-MISC2-

AMENDMENTS

1997 - Subsec. (a)(32). Pub. L. 105-33 added par. (32).

1996 - Subsecs. (a)(26) to (31). Pub. L. 104-287 redesignated pars. (27) to (31) as (26) to (30), respectively. Former par. (26) previously terminated.

1994 - Subsec. (a)(26), (27). Pub. L. 103-272 renumbered par. (26) as (27).

Subsec. (a)(30), (31). Pub. L. 103-322 added pars. (30) and (31).

Subsec. (g). Pub. L. 103-355 added subsec. (g).

1993 - Subsec. (a)(29). Pub. L. 103-62 added par. (29).

1990 - Subsec. (a). Pub. L. 101-508, Sec. 13112(c)(1), substituted "'On or after the first Monday in January but not later than the first Monday in February of each year'" for "'On or before the first Monday after January 3 of each year (or on or before February 5 in 1986)'".

Subsec. (a)(28). Pub. L. 101-576 added par. (28).

Subsec. (f). Pub. L. 101-508, Sec. 13112(c)(2), amended subsec. (f) generally, substituting "'The budget transmitted pursuant to subsection (a) for a fiscal year shall be prepared in a manner consistent with the requirements of the Balanced Budget and Emergency Deficit Control Act of 1985 that apply to that and subsequent fiscal years.'" for

"'(f)(1) The budget transmitted pursuant to subsection (a) for a fiscal year shall be prepared on the basis of the best estimates then available, in such a manner as to ensure that the deficit for such fiscal year shall not exceed the maximum deficit amount for such fiscal year as determined under paragraph (7) of section 3 of the Congressional Budget and Impoundment Control Act of 1974.

"'(2) The deficit set forth in the budget so transmitted for any fiscal year shall not exceed the maximum deficit amount for such fiscal year as determined under paragraph (7) of section 3 of the Congressional Budget and Impoundment Control Act of 1974, with budget outlays and Federal revenues at such levels as the President may consider most desirable and feasible.

"'(3) The budget transmitted pursuant to subsection (a) for a fiscal year shall include a budget baseline estimate made in accordance with section 251(a)(6) of the Balanced Budget and Emergency Deficit Control Act of 1985 and using economic and technical assumptions consistent with the current services budget submitted under section 1109 for the fiscal year. If such budget baseline estimate differs from the estimate in the current services budget, the President shall explain the differences. The budget transmitted pursuant to subsection (a) for such fiscal year shall include the information required by section 251(a)(2) of such Act (other than account-level detail) assuming that the deficit in such

budget baseline were the amount estimated by the Director of the Office of Management and Budget on August 25 of the calendar year in which the fiscal year begins.

''(4) Paragraphs (1) and (2) shall not apply with respect to fiscal year 1989 if the budget transmitted for such fiscal year provides for deficit reduction from a budget baseline deficit for such fiscal year (as defined by section 251(a)(6) of the Balanced Budget and Emergency Deficit Control Act of 1985 and based on laws in effect on January 1, 1988) equal to or greater than \$36,000,000,000.

''(5) Paragraphs (1) and (2) shall not apply if a declaration of war by the Congress is in effect.''

1988 - Subsec. (a)(25). Pub. L. 100-504 amended par. (25) generally. Prior to amendment, par. (25) read as follows: ''a separate statement, for each agency having an Office of Inspector General, of the amount of the appropriation requested for the Office.''

Subsec. (a)(26). Pub. L. 100-690, Sec. 1006, 1009, temporarily added par. (26) relating to statement of appropriations requested for drug programs. See Effective and Termination Dates of 1988 Amendments note below.

Pub. L. 100-418, Sec. 5301, 5303, temporarily added par. (26) which read as follows: ''an analysis, prepared by the Office of Management and Budget after consultation with the chairman of the Council of Economic Advisers, of the budget's impact on the international competitiveness of United States business and the United States balance of payments position and shall include the following projections, based upon the best information available at the time, for the fiscal year for which the budget is submitted -

''(A) the amount of borrowing by the Government in private credit markets;

''(B) net domestic savings (defined as personal savings, corporate savings, and the fiscal surplus of State and local governments);

''(C) net private domestic investment;

''(D) the merchandise trade and current accounts;

''(E) the net increase or decrease in foreign indebtedness (defined as net foreign investment); and

''(F) the estimated direction and extent of the influence of the Government's borrowing in private credit markets on United States dollar interest rates and on the real effective exchange rate of the United States dollar.''

See Effective and Termination Dates of 1988 Amendments note below.

1987 - Subsec. (f)(3) to (5). Pub. L. 100-119 added pars. (3) and (4) and redesignated former par. (3) as (5).

1985 - Subsec. (a). Pub. L. 99-177, Sec. 241(a), substituted ''On or before the first Monday after January 3 of each year (or on or before February 5 in 1986)'' for ''During the first 15 days of each regular session of Congress''.

Subsec. (f). Pub. L. 99-177, Sec. 241(b), 275(b), temporarily added subsec. (f). See Effective and Termination Dates of 1985 Amendment note below.

1984 - Subsec. (e). Pub. L. 98-501 added subsec. (e).

1983 - Subsec. (a)(25). Pub. L. 97-452 added par. (25).

EFFECTIVE DATE OF 1994 AMENDMENT

For effective date and applicability of amendment by Pub. L. 103-355, see section 10001 of Pub. L. 103-355, set out as a note under section 251 of Title 41, Public Contracts.

EFFECTIVE AND TERMINATION DATES OF 1988 AMENDMENTS

Amendment by Pub. L. 100-690 effective Jan. 21, 1989, and repealed Sept. 30, 1997, see section 1506 of Title 21, Food and

Drugs, and section 1012 of Pub. L. 100-690, set out as an Effective Date note under section 1501 of Title 21.

Section 5303 of Pub. L. 100-418 provided that: ''The amendment made by section 5301 (amending this section) shall be effective for fiscal years 1989, 1990, 1991, and 1992, and shall be fully reflected in the budgets submitted by the President as required by section 1105(a) of title 31, United States Code, for each such fiscal year, and the amendment made by section 5302 (amending section 632 of Title 2, The Congress) shall be effective for fiscal years 1989, 1990, 1991, and 1992.''

Amendment by Pub. L. 100-504 effective 180 days after Oct. 18, 1988, see section 113 of Pub. L. 100-504, set out as an Effective Date of 1988 Amendment note under section 5 of Pub. L. 95-452 (Inspector General Act of 1978) in the Appendix to Title 5, Government Organization and Employees.

EFFECTIVE AND TERMINATION DATES OF 1985 AMENDMENT

Amendment of subsec. (a) and enactment of subsec. (f) of this section by Pub. L. 99-177 effective Dec. 12, 1985, and applicable with respect to fiscal years beginning after Sept. 30, 1985, but with subsec. (f) to expire Sept. 30, 1995, see section 275(a)(1), (b) of Pub. L. 99-177, as amended, set out as an Effective and Termination Dates note under section 900 of Title 2, The Congress.

CONSTRUCTION OF 1993 AMENDMENT

Amendment made by Pub. L. 103-62 not to be construed as creating any right, privilege, benefit, or entitlement for any person who is not an officer or employee of the United States acting in such capacity, and no person not an officer or employee of the United States acting in such capacity to have standing to file any civil action in any court of the United States to enforce any amendment made by Pub. L. 103-62, or to be construed as superseding any statutory requirement, see section 10 of Pub. L. 103-62, set out as a Construction note under section 1115 of this title.

ADMINISTRATIVE EXPENSES OF LEGISLATIVE BRANCH ENTITIES; SEPARATE CATEGORIES; COMPLIANCE REPORTING

Pub. L. 103-69, title III, Sec. 308, Aug. 11, 1993, 107 Stat. 710, as amended by Pub. L. 104-316, title I, Sec. 115(c), Oct. 19, 1996, 110 Stat. 3834, provided that:

''(a) For fiscal years 1995, 1996, and 1997, the submissions in support of the amounts included in the Budget for each entity of the legislative branch shall set forth a separate category for administrative expenses. For fiscal years 1993 and 1994, the administrative expenses for each entity of the legislative branch shall be calculated and submitted in a separate category in the same format as if submitted in support of amounts included in the Budget.

''(b) For fiscal years 1994, 1995, 1996, and 1997, the submissions under subsection (a) in the separate category for administrative expenses for each entity of the legislative branch shall include reductions from the amount calculated for administrative expenses for fiscal year 1993, adjusted for inflation, as follows:

''(1) Fiscal year 1994, reduction of not less than 3 percent.

''(2) Fiscal year 1995, reduction of not less than 6 percent.

''(3) Fiscal year 1996, reduction of not less than 9 percent.

''(4) Fiscal year 1997, reduction of not less than 14 percent.

''(c) The Comptroller General may carry out compliance reporting under this section.

''(d) As used in this section -

''(1) the term 'administrative expenses' means expenses of contractual services and supplies, other than rental payments, programmatic mission-essential expenses, reimbursable expenses,

and expenses required by law;

'(2) the term 'Budget' means the Budget of the United States Government, submitted under section 1105 of title 31, United States Code; and

'(3) the term 'entity of the legislative branch' means the House of Representatives, the Senate, the Office of the Architect of the Capitol (including the Botanic Garden), the Capitol Police, the Congressional Budget Office, the Copyright Royalty Tribunal, the General Accounting Office, the Government Printing Office, the Library of Congress, and the Office of Technology Assessment.'

SEPARATE OBJECT CLASS FOR CONSULTING SERVICES IN ANNUAL BUDGETS

Pub. L. 102-394, title V, Sec. 512, Oct. 6, 1992, 106 Stat. 1826, which directed the Office of Management and Budget to establish funding for consulting services for each department and agency as separate object class in each budget annually submitted to Congress under this section, was repealed and restated in subsec. (g) of this section by Pub. L. 103-355, title II, Sec. 2454(a), (b), Oct. 13, 1994, 108 Stat. 3326.

NASA TRIENNIAL BUDGET REQUESTS AND ESTIMATES

Pub. L. 100-685, title I, Sec. 104, Nov. 17, 1988, 102 Stat. 4086, provided that: 'Commencing in fiscal year 1990 and every year thereafter, the President shall submit to Congress a budget request for the National Aeronautics and Space Administration for the immediate fiscal year and the following fiscal year, and include budget estimates for the third fiscal year.'

TWO-YEAR BUDGET CYCLE FOR COAST GUARD

Pub. L. 102-241, Sec. 11, Dec. 19, 1991, 105 Stat. 2212, provided that: 'Notwithstanding another law, the President is not required to submit a two-year budget request for the Coast Guard until the President is required to submit a two-year budget request for the Department of Transportation.'

Pub. L. 100-448, Sec. 24, Sept. 28, 1988, 102 Stat. 1847, provided that:

'(a) Opinion of Congress. - It is the opinion of the Congress that the programs and activities of the Coast Guard could be more effectively and efficiently planned and managed if funds for the Coast Guard were provided on a 2-year cycle rather than annually.

'(b) Submission of 2-Year Budget by President. - The President shall include in the budget for fiscal year 1990 submitted to the Congress pursuant to section 1105 of title 31, United States Code, a single proposed budget for the Coast Guard for fiscal years 1990 and 1991. Thereafter, the President shall submit a proposed 2-year budget for the Coast Guard every other year.

'(c) Report. - Not later than October 1, 1988, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and to the Committee on Merchant Marine and Fisheries and the Committee on Appropriations of the House of Representatives a report containing -

'(1) the Secretary's views on the advantages and disadvantages of operating the Coast Guard on a 2-year budget cycle;

'(2) the Secretary's plans for converting to a 2-year budget cycle; and

'(3) a description of any impediments (statutory or otherwise) to converting the operations of the Coast Guard to a 2-year budget cycle beginning with fiscal year 1990.'

WATER AND SEWER SERVICES FURNISHED TO GOVERNMENT FACILITIES IN DISTRICT OF COLUMBIA

Pub. L. 100-202, Sec. 101(c) (title I, Sec. 136), Dec. 22, 1987, 101 Stat. 1329-90, 1329-102, provided that: 'After the effective

date of this Joint Resolution (Dec. 22, 1987), the President shall include, without change, in each annual budget submitted to the Congress under section 1105 of title 31, United States Code, the values estimated by the Mayor of the District of Columbia for water and water services and sanitary sewer services furnished to facilities of the United States Government under sections 106 and 212 of the District of Columbia Public Works Act of 1954, as amended (D.C. Code, sections 43-1552, 43-1612).'

TWO-YEAR BUDGET CYCLE FOR DEPARTMENT OF DEFENSE

Pub. L. 99-145, title XIV, Sec. 1405, Nov. 8, 1985, 99 Stat. 744, provided that:

''(a) Findings. - The Congress finds that the programs and activities of the Department of Defense could be more effectively and efficiently planned and managed if funds for the Department were provided on a two-year cycle rather than annually.

''(b) Requirement for Two-Year Budget Proposal. - The President shall include in the budget submitted to the Congress pursuant to section 1105 of title 31, United States Code, for fiscal year 1988 a single proposed budget for the Department of Defense and related agencies for fiscal years 1988 and 1989. Thereafter, the President shall submit a proposed two-year budget for the Department of Defense and related agencies every other year.

''(c) Report. - Not later than April 1, 1986, the Secretary of Defense shall submit to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives a report containing the Secretary's views on the following:

''(1) The advantages and disadvantages of operating the Department of Defense and related agencies on a two-year budget cycle.

''(2) The Secretary's plans for converting to a two-year budget cycle.

''(3) A description of any impediments (statutory or otherwise) to converting the operations of the Department of Defense and related agencies to a two-year budget cycle beginning with fiscal year 1988.'

FEDERAL CAPITAL INVESTMENT PROGRAM; CONGRESSIONAL STATEMENT OF PURPOSES

Section 202 of Pub. L. 98-501 provided that: ''The purposes of this title (amending this section and enacting provisions set out as notes under this section and section 1101 of this title) are -

''(1) to provide budget projections for major Federal capital investment programs;

''(2) to provide a summary of the most recent needs assessment analyses for these programs;

''(3) to provide information on the sensitivity of the needs estimates to major policy issues and technical and economic variables;

''(4) to assist the planning capabilities of State and local governments on the assessment of major capital investment programs; and

''(5) to improve legislative oversight over Federal capital investment programs.'

-EXEC-

DEFICIT REDUCTION FUND

For provisions requiring information about Deficit Reduction Fund, including a separate statement of amounts in and Federal debt redeemed by that Fund to be included in budget transmitted under this section, see Ex. Ord. No. 12858, Sec. 3, Aug. 4, 1993, 58 F.R. 42185, set out as a note under section 900 of Title 2, The Congress.

BUDGET CONTROL

For provisions requiring annual review of direct spending and receipts to be part of each budget submitted under subsec. (a) of this section, see Ex. Ord. No. 12857, Sec. 3, Aug. 4, 1993, 58 F.R. 42181, set out as a note under section 900 of Title 2, The Congress.

EX. ORD. NO. 6715. FILING OF FUNCTIONAL ORGANIZATION CHARTS WITH
THE DIRECTOR OF THE BUREAU OF THE BUDGET

Ex. Ord. No. 6715, May 23, 1934, provided:

(1) Each executive department, independent establishment, and emergency agency shall file with the Director of the Bureau of the Budget (now Director of Office of Management and Budget) a functional organization chart, indicating its various existing bureaus, divisions, sections, etc., and containing a description of the functions respectively performed, and shall file such additional charts from time to time, as may be necessary to show all changes made therein.

(2) Every executive department, independent establishment, and emergency agency hereafter created shall within 5 days after the appointment of the head thereof file a preliminary functional organization chart with the Director of the Bureau of the Budget.

(3) The Director of the Bureau of the Budget is hereby authorized to prescribe, subject to the approval of the President, such rules and regulations as will indicate the information desired and the form of chart to be furnished.

-SECRET-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1104, 1106, 1107, 1115, 1118, 1119, 1554, 5134, 6503, 9103, 9109, 9703 of this title; title 2 sections 632, 655, 900, 901, 904; title 5 sections 1204, 8472; title 7 section 5603; title 10 sections 113, 114, 115, 119, 139, 168, 179, 221, 222, 224, 226, 483, 484, 1465, 1741, 2006, 2216, 2216a, 2217, 2304a, 2304b, 2350a, 2367, 2431, 2433, 2515, 2525, 2703, 2721, 2809, 2835, 2836, 2859, 2884, 7902; title 14 sections 663, 688, 692; title 15 sections 1022, 2935, 4626; title 20 section 76j; title 21 sections 1505, 1509; title 25 sections 450j-1, 458dd, 1621, 1671, 2012, 2505, 3803, 4043; title 29 section 762a; title 38 sections 312, 712, 3734, 7101, 7439, 7440, 8107, 8110, 8111, 8122; title 39 section 2009; title 40 sections 904, 908, 1412, 1413, 1425, 1428; title 41 sections 253h, 253i, 433; title 42 sections 1395w-1, 2122a, 2286e, 7271b, 7274c, 7274g, 7274n, 8255, 11710, 13474; title 50 sections 404a, 404b, 404d, 1906, 2353.

-CITE-

31 USC Sec. 1106

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1106. Supplemental budget estimates and changes

-STATUTE-

(a) Before July 16 of each year, the President shall submit to Congress a supplemental summary of the budget for the fiscal year for which the budget is submitted under section 1105(a) of this title. The summary shall include -

(1) for that fiscal year -

(A) substantial changes in or reappraisals of estimates of expenditures and receipts;

(B) substantial obligations imposed on the budget after its submission;

(C) current information on matters referred to in section 1105(a)(8) and (9)(B) and (C) of this title; and

(D) additional information the President decides is advisable to provide Congress with complete and current information about the budget and current estimates of the functions, obligations, requirements, and financial condition of the United States Government;

(2) for the 4 fiscal years following the fiscal year for which the budget is submitted, information on estimated expenditures for programs authorized to continue in future years, or that are considered mandatory, under law; and

(3) for future fiscal years, information on estimated expenditures of balances carried over from the fiscal year for which the budget is submitted.

(b) Before July 16 of each year, the President shall submit to Congress a statement of changes in budget authority requested, estimated budget outlays, and estimated receipts for the fiscal year for which the budget is submitted (including prior changes proposed for the executive branch of the Government) that the President decides are necessary and appropriate based on current information. The statement shall include the effect of those changes on the information submitted under section 1105(a)(1)-(14) and (b) of this title and shall include supporting information as practicable. The statement submitted before July 16 may be included in the information submitted under subsection (a)(1) of this section.

-SOURCE-

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 911; Pub. L. 99-177, title II, Sec. 242, Dec. 12, 1985, 99 Stat. 1063.)

-MISC1-

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1106(a)	31:11(b), (c).	June 10, 1921, ch. 18, 42 Stat. 20, Sec. 201(b), (c); added Aug. 25, 1958, Pub. L. 85-759, Sec. 1, 72 Stat. 852; restated Oct. 26, 1970, Pub. L. 91-510, Sec. 221(b), 84 Stat. 1169; July 12, 1974, Pub. L. 93-344, Sec. 602, 88 Stat. 324.
1106(b)	31:11(g) (1st-3d sentences).	June 10, 1921, ch. 18, 42 Stat. 20, Sec. 201(g) (1st-3d sentences); added July 12, 1974, Pub.

In subsection (a), before clause (1), the words ''Before July 16'' are substituted for ''on or before July 15'' for consistency. The words ''budget for the fiscal year for which the budget is submitted'' are substituted for ''Budget for the ensuing fiscal year transmitted to the Congress by the President'' to eliminate unnecessary words and for consistency in the chapter. The words ''in such form and detail as he may determine'' are omitted as unnecessary. In clause (1)(D), the words ''in summary form'' and ''summary of'' are omitted as unnecessary. The word ''necessary'' is omitted as being included in ''advisable''. In clauses (2) and (3), the word ''information'' is substituted for ''summaries'' because of the restatement. In clause (2), the words ''programs authorized to continue in future years, or that are considered mandatory, under law'' are substituted for ''continuing programs which have a legal commitment for future years or are considered mandatory under existing law'' for consistency.

In subsection (b), the words ''Before April 11 and July 16'' are substituted for ''on or before April 10 and July 15'', the word ''changes'' is substituted for ''all amendments to or revisions in'', and the words ''budget outlays'' are substituted for ''outlays'', the words ''fiscal year for which the budget is submitted'' are substituted for ''ensuing fiscal year set forth in the Budget transmitted pursuant to subsection (a) of this section'', for consistency. The word ''information'' is substituted for ''summary data'' because of the restatement.

AMENDMENTS

1985 - Subsec. (b). Pub. L. 99-177, Sec. 242(a), struck out ''April 11 and'' before ''July 16''.

Subsec. (c). Pub. L. 99-177, Sec. 242(b), 275(b), temporarily added subsec. (c), which read as follows: ''Subsection (f) of section 1105 shall apply to revisions and supplemental summaries submitted under this section to the same extent that such subsection applies to the budget submitted under section 1105(a) to which such revisions and summaries relate.'' See Effective and Termination Dates of 1985 Amendment note below.

EFFECTIVE AND TERMINATION DATES OF 1985 AMENDMENT

Amendment by Pub. L. 99-177 effective Dec. 12, 1985, and applicable with respect to fiscal years beginning after Sept. 30, 1985, but with subsec. (c) to expire Sept. 30, 1995, see section 275(a)(1), (b) of Pub. L. 99-177, as amended, set out as an Effective and Termination Dates note under section 900 of Title 2, The Congress.

-CITE-

31 USC Sec. 1107

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1107. Deficiency and supplemental appropriations

-STATUTE-

The President may submit to Congress proposed deficiency and supplemental appropriations the President decides are necessary because of laws enacted after the submission of the budget or that

are in the public interest. The President shall include the reasons for the submission of the proposed appropriations and the reasons the proposed appropriations were not included in the budget. When the total proposed appropriations would have required the President to make a recommendation under section 1105(c) of this title if they had been included in the budget, the President shall make a recommendation under that section.

-SOURCE-

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 911.)

-MISC1-

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1107	31:14.	June 10, 1921, ch. 18, Sec. 203, 42 Stat. 21; restated Sept. 12, 1950, ch. 946, Sec. 102(b), 64 Stat. 833.

In the section, the words ''reach an aggregate which'' are omitted as surplus.

-SECREP-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1104 of this title.

-CITE-

31 USC Sec. 1108

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1108. Preparation and submission of appropriations requests to the President

-STATUTE-

(a) In this section (except subsections (b)(1) and (e)), ''agency'' means a department, agency, or instrumentality of the United States Government.

(b)(1) The head of each agency shall prepare and submit to the President each appropriation request for the agency. The request shall be prepared and submitted in the form prescribed by the President under this chapter and by the date established by the President. When the head of an agency does not submit a request by that date, the President shall prepare the request for the agency to be included in the budget or changes in the budget or as deficiency and supplemental appropriations. The President may change agency appropriation requests. Agency appropriation requests shall be developed from cost-based budgets in the way and at times prescribed by the President. The head of the agency shall use the cost-based budget to administer the agency and to divide appropriations or amounts.

(2) An officer or employee of an agency in the executive branch may submit to the President or Congress a request for legislation authorizing deficiency or supplemental appropriations for the agency only with the approval of the head of the agency.

(c) The head of an agency shall include with an appropriation request submitted to the President a report that the statement of obligations submitted with the request contains obligations consistent with section 1501 of this title. The head of the agency shall support the report with a certification of the consistency and shall support the certification with records showing that the amounts have been obligated. The head of the agency shall designate officials to make the certifications, and those officials may not delegate the duty to make the certifications. The certifications and records shall be kept in the agency -

(1) in a form that makes audits and reconciliations easy; and

(2) for a period necessary to carry out audits and reconciliations.

(d) To the extent practicable, the head of an agency shall -

(1) provide information supporting the agency's budget request for its missions by function and subfunction (including the mission of each organizational unit of the agency); and

(2) relate the agency's programs to its missions.

(e) Except as provided in subsection (f) of this section, an officer or employee of an agency (as defined in section 1101 of this title) may submit to Congress or a committee of Congress an appropriations estimate or request, a request for an increase in that estimate or request, or a recommendation on meeting the financial needs of the Government only when requested by either House of Congress.

(f) The Interstate Commerce Commission shall submit to Congress copies of budget estimates, requests, and information (including personnel needs), legislative recommendations, prepared testimony for congressional hearings, and comments on legislation at the same time they are sent to the President or the Office of Management and Budget. An officer of an agency may not impose conditions on or impair communication by the Commission with Congress, or a committee or member of Congress, about the information.

(g) Amounts available under law are available for field examinations of appropriation estimates. The use of the amounts is subject only to regulations prescribed by the appropriate standing committees of Congress.

-SOURCE-

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 912.)

-MISC1-

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1108(a)	(no source).	
1108(b)(1)	31:16(last sentence related to appropriations requests).	June 10, 1921, ch. 18, Sec. 207(last sentence related to appropriations requests), 42 Stat. 22; restated Sept. 12, 1950, ch. 946, Sec. 102(e), 64

		Stat. 833; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085.
	31:22, 23.	June 10, 1921, ch. 18, Sec. 214, 215, 42 Stat. 23; restated Sept. 12, 1950, ch. 946, Sec. 102(f), (g), 64 Stat. 833; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085.
	31:24(a).	June 10, 1921, ch. 18, Sec. 216(a), 42 Stat. 23; restated Sept. 12, 1950, ch. 946, Sec. 102(h), 64 Stat. 834; Aug. 1, 1956, ch. 814, Sec. 1(b), 70 Stat. 782; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085.
	31:24(b), (c).	June 10, 1921, ch. 18, 42 Stat. 20, Sec. 216(b), (c); added Aug. 1, 1956, ch. 814, Sec. 1(b), 70 Stat. 782.
1108(b)(2)	31:581b.	Sept. 12, 1950, ch. 946, Sec. 201, 64 Stat. 838; Reorg. Plan. No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085.
1108(c)	31:200(b).	Aug. 26, 1954, ch. 935, Sec. 1311(b), 68 Stat. 830; restated July 8, 1959, Pub. L. 86- 79, Sec. 210(a), 73 Stat. 167; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085.
	31:200(c).	Aug. 26, 1954, ch. 935, Sec. 1311(c), 68 Stat. 831.
1108(d)	31:11(i) (last sentence).	June 10, 1921, ch. 18, 42 Stat. 20, Sec. 201(i) (last sentence); added July 12, 1974, Pub.

		L. 93-344, Sec. 601, 88 Stat. 323.
1108 (e)	31:15.	June 10, 1921, ch. 18, Sec. 206, 42 Stat. 21.
1108 (f)	31:11(j) .	June 10, 1921, ch. 18, 42 Stat. 20, Sec. 201(j); added Feb. 5, 1976, Pub. L. 94-210, Sec. 311, 90 Stat. 60.
1108 (g)	31:22a.	Aug. 7, 1953, ch. 340, Sec. 1314, 67 Stat. 438.

Subsection (a) is included because the source provisions restated in subsections (c), (d), (f), and (g) of the revised section are derived from laws that apply to all organizational units and branches of the United States Government rather than the units and branches included in the chapter-wide definition in section 1101.

In subsection (b) (1), the word 'President' is substituted for 'Office' in 31:16(last sentence) and 'Office of Management and Budget' in 31:23 and 24(a) because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President. The words 'prepare' is substituted for 'prepare or cause to be prepared' in 31:22 to eliminate unnecessary words. The word 'appropriations' is substituted for 'regular, supplementary, or deficiency appropriations' in 31:22 and 24(a) to eliminate unnecessary words. The words 'in each year' are omitted as surplus. The words 'in the form prescribed by the President under this chapter and by the date established by the President' are substituted for 'on or before a date which the President shall determine' in 31:23, and 'as the President may determine in accordance with the provisions of section 11 of this title' and 'in such manner and at such times as may be determined by the President' in 31:24, to eliminate unnecessary words and to provide a cross-reference to the authority of the President to prepare and submit budgets and appropriations request. The words 'prepare the request for the agency to be included in the budget or changes in the budget or as deficiency or supplemental appropriations' are substituted for 'cause such requests to be prepared as are necessary to enable him to include such requests with the Budget in respect to the work of such department or establishment' in 31:23 for clarity and because of the restatement. The word 'change' is substituted for 'assemble, correlate, revise, reduce, or increase' in 31:16(last sentence) to eliminate unnecessary words. The words 'The head of the agency shall use' are substituted for 'shall be used by all departments and establishments and their subordinate units' and 'shall be made on the basis of' in 31:24 as being more precise. The word 'operation' is omitted as being included in 'administer'. The word 'amounts' is substituted for 'funds' for consistency in the revised title. The word 'divide' is substituted for 'administrative subdivisions' because of the restatement.

In subsection (b) (2), the words 'deficiency or supplemental appropriations' are substituted for 'subsequent appropriations' for consistency. The words 'the Office of Management and Budget' are omitted because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 designated the Bureau of the Budget as the Office of

Management and Budget and transferred all functions of the Bureau to the President. The words "the agency" are substituted for "by such department or establishment, or by any organization unit thereof" to eliminate unnecessary words.

In subsection (c), before clause (1), the word "President" is substituted for "Office of Management and Budget" in 31:200(b) because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President. The words "submitted with the request contains obligations consistent with" are substituted for "furnished therewith consists of valid obligations as defined in" for clarity and because of the restatement. The words "The head of the agency shall support the report with a certification of the consistency" are substituted for "Each report made pursuant to subsection (b) of this section shall be supported by certifications" in 31:200(c) for clarity. The words "duty to make certifications" are substituted for "responsibility" for consistency.

In subsection (d)(1), the words "its missions" are substituted for "its assigned mission", and the words "the mission" are substituted for "mission responsibilities", to eliminate unnecessary words.

In subsection (d)(2), the word "mission" is substituted for "agency missions" to eliminate unnecessary words.

In subsection (e), the words "Except as provided in subsection (f) of this section" are added because of the restatement. The word "financial" is substituted for "revenue" for consistency in the revised title.

In subsection (f), the word "personnel" is substituted for "manpower", and the words "at the same time" are substituted for "concurrently", for clarity. The words "officer of an agency" are substituted for "officer or agency" as being more precise. The word "prohibit" is omitted as being included in "impose conditions on or impair". The word "communication" is substituted for "free communication" to eliminate a surplus word. The words "about the information" are substituted for "with respect to any budget estimate or request of the Commission" for consistency and to eliminate unnecessary words.

In subsection (g), the word "Amounts" is substituted for "Funds", the word "law" is substituted for "Act", and the words "regulations prescribed" are substituted for "regulations", for consistency in the revised title. The words "of Congress" are added for clarity.

-TRANS-

ABOLITION OF INTERSTATE COMMERCE COMMISSION AND TRANSFER OF FUNCTIONS

Interstate Commerce Commission abolished and functions of Commission transferred, except as otherwise provided in Pub. L. 104-88, to Surface Transportation Board effective Jan. 1, 1996, by section 702 of Title 49, Transportation, and section 101 of Pub. L. 104-88, set out as a note under section 701 of Title 49. References to Interstate Commerce Commission deemed to refer to Surface Transportation Board, a member or employee of the Board, or Secretary of Transportation, as appropriate, see section 205 of Pub. L. 104-88, set out as a note under section 701 of Title 49.

-SECRET-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1554, 3512 of this title; title 15 section 2935; title 19 section 2345; title 40 section 903;

title 42 section 300j-12; title 49 section 5309.

-CITE-

31 USC Sec. 1109

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1109. Current programs and activities estimates

-STATUTE-

(a) On or before the first Monday after January 3 of each year (on or before February 5 in 1986), the President shall submit to both Houses of Congress the estimated budget outlays and proposed budget authority that would be included in the budget for the following fiscal year if programs and activities of the United States Government were carried on during that year at the same level as the current fiscal year without a change in policy. The President shall state the estimated budget outlays and proposed budget authority by function and subfunction under the classifications in the budget summary table under the heading 'Budget Authority and Outlays by Function and Agency', by major programs in each function, and by agency. The President also shall include a statement of the economic and program assumptions on which those budget outlays and budget authority are based, including inflation, real economic growth, and unemployment rates, program caseloads, and pay increases.

(b) The Joint Economic Committee shall review the estimated budget outlays and proposed budget authority and submit an economic evaluation of the budget outlays and budget authority to the Committees on the Budget of both Houses before March 1 of each year.

-SOURCE-

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 913; Pub. L. 99-177, title II, Sec. 222, Dec. 12, 1985, 99 Stat. 1060.)

-MISC1-

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1109(a)	31:11a(a).	July 12, 1974, Pub. L. 93-344, Sec. 605, 88 Stat. 325.
1109(b)	31:11a(b).	

In the section, the words 'budget outlays' are substituted for 'outlays' for consistency in the revised title.

In subsection (a), the words 'Before November 11' are substituted for 'On or before November 10', the words 'both Houses of Congress' are substituted for 'the Senate and the House of Representatives', the word 'following' is substituted for 'ensuing', and the word 'current' is substituted for 'in progress', for consistency. The words '(beginning with 1975)' are omitted as executed. The words 'of the United States

Government'' are added for clarity. The words ''in such programs and activities'' are omitted as surplus. The words ''The President shall state'' are substituted for ''shall be shown'', and the words ''The President also shall include'' are substituted for ''Accompanying these estimates shall be'', because of the restatement.

In subsection (b), the words ''so submitted'' are omitted as unnecessary. The words ''before January 1'' are substituted for ''on or before December 31'' for consistency.

AMENDMENTS

1985 - Subsec. (a). Pub. L. 99-177, Sec. 222(a), substituted ''On or before the first Monday after January 3 of each year (on or before February 5 in 1986)'' for ''Before November 11 of each year''.

Subsec. (b). Pub. L. 99-177, Sec. 222(b), substituted ''March 1'' for ''January 1''.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-177 effective Dec. 12, 1985, and applicable with respect to fiscal years beginning after Sept. 30, 1985, see section 275(a)(1) of Pub. L. 99-177, set out as an Effective and Termination Dates note under section 900 of Title 2, The Congress.

-CITE-

31 USC Sec. 1110

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1110. Year-ahead requests for authorizing legislation

-STATUTE-

A request to enact legislation authorizing new budget authority to continue a program or activity for a fiscal year shall be submitted to Congress before May 16 of the year before the year in which the fiscal year begins. If a new program or activity will continue for more than one year, the request must be submitted for at least the first and 2d fiscal years.

-SOURCE-

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 913.)

-MISC1-

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1110	31:11c.	July 12, 1974, Pub. L. 93-344, Sec. 607, 88 Stat. 325.

The words ''Notwithstanding any other provision of law'' are omitted as unnecessary. The words ''the enactment of'' before ''new'' are omitted as surplus. The words ''(beginning with the fiscal year commencing October 1, 1976)'' are omitted as executed. The words ''a request for the enactment of legislation authorizing

the enactment of new budget authority for'' are omitted for consistency in the chapter.

-SECREf-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 43 section 1748.

-CITE-

31 USC Sec. 1111

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1111. Improving economy and efficiency

-STATUTE-

To improve economy and efficiency in the United States Government, the President shall -

(1) make a study of each agency to decide, and may send Congress recommendations, on changes that should be made in -

(A) the organization, activities, and business methods of agencies;

(B) agency appropriations;

(C) the assignment of particular activities to particular services; and

(D) regrouping of services; and

(2) evaluate and develop improved plans for the organization, coordination, and management of the executive branch of the Government.

-SOURCE-

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 913.)

-MISC1-

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1111	31:18.	June 10, 1921, ch. 18, Sec. 209, 42 Stat. 22; Reorg. Plan No. 1 of 1939, eff. July 1, 1939, Sec. 1, 53 Stat. 1423; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085.
	31:18a.	Sept. 12, 1950, ch. 946, Sec. 104, 64 Stat. 834; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085.

In the section, before clause (1), the words ''To improve economy and efficiency in the United States Government'' are substituted for ''(with a view of securing greater economy and efficiency in the conduct of the public service)'' in 31:18 and ''with a view to efficient and economical service'' in 31:18a to eliminate unnecessary words. The word ''President'' is substituted for ''Office of Management and Budget, when directed by the President'' in 31:18 and ''President, through the Director of the Office of Management and Budget'' in 31:18a because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President. In clause (1), the words ''existing'' and ''detailed'' are omitted as surplus.

-EXEC-

REGULATORY REDUCTIONS

For provisions requiring executive departments and agencies to undertake to eliminate not less than 50 percent of its civilian internal management regulations not required by law, see Ex. Ord. No. 12861, Sept. 11, 1993, 58 F.R. 48255, set out as a note under section 601 of Title 5, Government Organization and Employees.

-CITE-

31 USC Sec. 1112

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1112. Fiscal, budget, and program information

-STATUTE-

(a) In this section, ''agency'' means a department, agency, or instrumentality of the United States Government except a mixed-ownership Government corporation.

(b) In cooperation with the Comptroller General, the Secretary of the Treasury and the Director of the Office of Management and Budget shall establish and maintain standard data processing and information systems for fiscal, budget, and program information for use by agencies to meet the needs of the Government, and to the extent practicable, of State and local governments.

(c) The Comptroller General -

(1) in cooperation with the Secretary, the Director of the Office of Management and Budget, and the Director of the Congressional Budget Office, shall establish, maintain, and publish standard terms and classifications for fiscal, budget, and program information of the Government, including information on fiscal policy, receipts, expenditures, programs, projects, activities, and functions;

(2) when advisable, shall report to Congress on those terms and classifications, and recommend legislation necessary to promote the establishment, maintenance, and use of standard terms and classifications by the executive branch of the Government; and

(3) in carrying out this subsection, shall give particular consideration to the needs of the Committees on Appropriations and on the Budget of both Houses of Congress, the Committee on Ways and Means of the House, the Committee on Finance of the

Senate, and the Congressional Budget Office.

(d) Agencies shall use the standard terms and classifications published under subsection (c)(1) of this section in providing fiscal, budget, and program information to Congress.

(e) In consultation with the President, the head of each executive agency shall take actions necessary to achieve to the extent possible -

- (1) consistency in budget and accounting classifications;
- (2) synchronization between those classifications and organizational structure; and
- (3) information by organizational unit on performance and program costs to support budget justifications.

(f) In cooperation with the Director of the Congressional Budget Office, the Comptroller General, and appropriate representatives of State and local governments, the Director of the Office of Management and Budget (to the extent practicable) shall provide State and local governments with fiscal, budget, and program information necessary for accurate and timely determination by those governments of the impact on their budgets of assistance of the United States Government.

-SOURCE-

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 913.)

-MISC1-

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1112(a)	31:1157.	Oct. 26, 1970, Pub. L. 91-510, Sec. 207, 84 Stat. 1168.
1112(b)	31:1151.	Oct. 26, 1970, Pub. L. 91-510, Sec. 201, 202(a), (b), 203(d), 84 Stat. 1167, 1168; restated July 12, 1974, Pub. L. 93-344, Sec. 801(a), 88 Stat. 327, 328, 329.
1112(c)	31:1152(a)(1)(1st, 2d sentences), (2), (b).	
1112(d)	31:1152(a)(1)(last sentence).	
1112(e)	31:18c.	Sept. 12, 1950, ch. 946, 64 Stat. 832, Sec. 106; added Aug. 1, 1956, ch. 814, Sec. 2(a), 70 Stat. 782; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085.
1112(f)	31:1153(d).	

In the section, the words ''program information'' are substituted for ''program-related data and information'' to eliminate unnecessary words.

In subsection (a), the words '' 'agency' . . . of the United States Government except a mixed-ownership Government corporation'' are substituted for '' 'Federal agency' . . . wholly owned Government corporation'' for clarity and consistency in the revised title and with other titles of the United States Code. The word ''establishment'' is omitted as surplus. The words ''government of the District of Columbia'' are omitted as superseded by sections 441-455, 501, and 736 of the District of Columbia Self-Government and Governmental Reorganization Act (Pub. L. 93-198, 87 Stat. 798, 812, 823).

In subsections (b) and (c)(1), the word ''develop'' is omitted as being included in ''establish''.

In subsection (b), the words ''The development, establishment, and maintenance of such systems shall be carried out so as'' are omitted as unnecessary because of the restatement.

In subsection (c)(1) and (2), the words ''terms and classifications'' are substituted for ''terminology, definitions, classifications, and codes'' to eliminate unnecessary words. In clause (1), the words ''The authority contained in this section shall include, but not be limited to'' are omitted as surplus. In clause (2), the words ''After June 30, 1975'' are omitted as executed. The word ''additional'' is omitted as surplus. The words ''establishment, maintenance, and use of'' are substituted for ''development, establishment, and maintenance, modification . . . implementation'' to eliminate unnecessary words and for consistency in the revised section. The words ''by the executive branch of the Government'' are substituted for ''executive'' for clarity. The text of 31:1152(a)(2)(1st sentence) is omitted as executed. In clause (3), the words ''this subsection'' are substituted for ''this responsibility'' because of the restatement.

In subsection (c)(1), the word ''revenues'' is omitted as being included in ''receipts''. The word ''spending'' is substituted for ''expenditures'' for consistency in the revised title.

In subsection (e), the word ''President'' is substituted for ''Director of the Office of Management and Budget'' because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President.

-SECRET-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 719, 1113 of this title.

-CITE-

31 USC Sec. 1113

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1113. Congressional information

-STATUTE-

(a)(1) When requested by a committee of Congress having jurisdiction over receipts or appropriations, the President shall

provide the committee with assistance and information.

(2) When requested by a committee of Congress, additional information related to the amount of an appropriation originally requested by an Office of Inspector General shall be submitted to the committee.

(b) When requested by a committee of Congress, by the Comptroller General, or by the Director of the Congressional Budget Office, the Secretary of the Treasury, the Director of the Office of Management and Budget, and the head of each executive agency shall -

(1) provide information on the location and kind of available fiscal, budget, and program information;

(2) to the extent practicable, prepare summary tables of that fiscal, budget, and program information and related information the committee, the Comptroller General, or the Director of the Congressional Budget Office considers necessary; and

(3) provide a program evaluation carried out or commissioned by an executive agency.

(c) In cooperation with the Director of the Congressional Budget Office, the Secretary, and the Director of the Office of Management and Budget, the Comptroller General shall -

(1) establish and maintain a current directory of sources of, and information systems for, fiscal, budget, and program information and a brief description of the contents of each source and system;

(2) when requested, provide assistance to committees of Congress and members of Congress in obtaining information from the sources in the directory; and

(3) when requested, provide assistance to committees and, to the extent practicable, to members of Congress in evaluating the information obtained from the sources in the directory.

(d) To the extent they consider necessary, the Comptroller General and the Director of the Congressional Budget Office individually or jointly shall establish and maintain a file of information to meet recurring needs of Congress for fiscal, budget, and program information to carry out this section and sections 717 and 1112 of this title. The file shall include information on budget requests, congressional authorizations to obligate and expend, apportionment and reserve actions, and obligations and expenditures. The Comptroller General and the Director shall maintain the file and an index to the file so that it is easier for the committees and agencies of Congress to use the file and index through data processing and communications techniques.

(e)(1) The Comptroller General shall -

(A) carry out a continuing program to identify the needs of committees and members of Congress for fiscal, budget, and program information to carry out this section and section 1112 of this title;

(B) assist committees of Congress in developing their information needs;

(C) monitor recurring reporting requirements of Congress and committees; and

(D) make recommendations to Congress and committees for changes and improvements in those reporting requirements to meet information needs identified by the Comptroller General, to improve their usefulness to congressional users, and to eliminate unnecessary reporting.

(2) Before September 2 of each year, the Comptroller General shall report to Congress on -

(A) the needs identified under paragraph (1)(A) of this subsection;

(B) the relationship of those needs to existing reporting

requirements;

(C) the extent to which reporting by the executive branch of the United States Government currently meets the identified needs;

(D) the changes to standard classifications necessary to meet congressional needs;

(E) activities, progress, and results of the program of the Comptroller General under paragraph (1) (B) - (D) of this subsection; and

(F) progress of the executive branch in the prior year.

(3) Before March 2 of each year, the Director of the Office of Management and Budget and the Secretary shall report to Congress on plans for meeting the needs identified under paragraph (1) (A) of this subsection, including -

(A) plans for carrying out changes to classifications to meet information needs of Congress;

(B) the status of information systems in the prior year; and

(C) the use of standard classifications.

-SOURCE-

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 914; Pub. L. 97-452, Sec. 1(3), Jan. 12, 1983, 96 Stat. 2467.)

-MISC1-

Historical and Revision Notes
1982 Act

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1113(a)	31:20.	June 10, 1921, ch. 18, Sec. 212, 42 Stat. 23; Reorg. Plan No. 1 of 1939, eff. July 1, 1939, Sec. 1, 53 Stat. 1423; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, Sec. 102(a), 84 Stat. 2085.
1113(b) - (d)	31:1153(a) - (c) .	Oct. 26, 1970, Pub. L. 91-510, Sec. 203(a) - (c), 84 Stat. 1168; restated July 12, 1974, Pub. L. 93-344, Sec. 801(a), 88 Stat. 328.
1113(e) (1)	31:1152(c), (d) .	Oct. 26, 1970, Pub. L. 91-510, Sec. 202(c) - (f), 84 Stat. 1167; restated July 12, 1974, Pub. L. 93-344, Sec. 801(a), 88 Stat. 328.
1113(e) (2)	31:1152(e) .	
1113(e) (3)	31:1152(f) .	

In the section, the words ''committee of Congress'' are substituted for ''committee of either House, of any joint committee of the two Houses'' and variations of the substituted phrase to eliminate unnecessary words and for consistency in the revised title and with other titles of the United States Code.

In subsection (a), the word ''President'' is substituted for ''Office of Management and Budget'' because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President. The word ''assistance'' is substituted for ''aid'', and the word ''receipts'' is substituted for ''revenue'', for consistency in the revised title.

In subsections (b)-(d), the words ''program information'' are substituted for ''program-related data and information'' to eliminate unnecessary words.

In subsection (b)(1) and (3), the words ''to such committee or joint committee, the Comptroller General, or the Director of the Congressional Budget Office'' are omitted as unnecessary because of the restatement. In clause (1), the word ''kind'' is substituted for ''nature'' for consistency in the revised title. In clause (2), the words ''that fiscal, budgetary, and program information'' are substituted for ''such data and information'' because of the restatement.

In subsection (c), the word ''inventory'' is omitted as unnecessary. In clause (1), the word ''develop'' is omitted as being included in ''establish''. In clause (2), the word ''obtaining'' is substituted for ''securing'' as being more precise. In clause (3), the word ''evaluating'' is substituted for ''appraising and analyzing'' for clarity and to eliminate unnecessary words.

In subsection (d), the words ''individually or jointly . . . file'' are substituted for ''central file or files'' for clarity. The word ''information'' is substituted for ''data and information'', and the word ''needs'' is substituted for ''requirements'', for consistency in the section. The words ''carry out'' are substituted for ''carry out the purposes of'' because of the restatement. A cross reference to 31:1155-1156 is not included because those sections are not relevant to the information file described in the source provisions. The words ''so that it is easier'' are substituted for ''facilitate'' for clarity. The word ''modern'' is omitted as surplus.

In subsection (e)(1)(A), the word ''specify'' is omitted as being included in ''identify''. The words ''carry out'' are substituted for ''support the objectives'' for consistency. A cross reference to 31:1154-1156 is not included because those sections are not relevant to the continuing program described in the source provisions. In clause (B), the words ''including such needs expressed in legislative requirements'' are omitted as surplus. In clause (D), the word ''duplicative'' is omitted as being included in ''unnecessary''.

In subsection (e)(2), the words ''Before September 2 of each year'' are substituted for ''On or before September 1, 1974, and each year thereafter'' for consistency.

In subsection (e)(3), the words ''Before March 2 of each year are substituted for ''On or before March 1, 1975, and each year thereafter'' for consistency. The word ''codes'' is omitted as being included in ''classifications''. The words ''information systems'' are substituted for ''systems'', and the words ''use of standard classifications'' are substituted for ''classification implementations'', for consistency in the revised section.

1983 Act

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1113(e) (2)	31 App.:11(k) (2) .	June 10, 1921, ch. 18, 42 Stat. 20, Sec. 201(k) (2); added Sept. 8, 1982, Pub. L. 97-255, Sec. 3, 96 Stat. 815.

AMENDMENTS

1983 - Subsec. (a). Pub. L. 97-452 redesignated existing provision as par. (1) and added par. (2).

OVERSIGHT OF COUNTERTERRORISM AND ANTITERRORISM ACTIVITIES; REPORT
Pub. L. 105-85, div. A, title X, Sec. 1051, Nov. 18, 1997, 111 Stat. 1889, provided that:

''(a) Oversight of Counterterrorism and Antiterrorism Activities.
- Not later than 120 days after the date of the enactment of this Act (Nov. 18, 1997), the Director of the Office of Management and Budget shall -

''(1) establish a reporting system for executive agencies with respect to the budget and expenditure of funds by such agencies for the purpose of carrying out counterterrorism and antiterrorism programs and activities; and

''(2) using such reporting system, collect information on -

''(A) the budget and expenditure of funds by executive agencies during the current fiscal year for purposes of carrying out counterterrorism and antiterrorism programs and activities; and

''(B) the specific programs and activities for which such funds were expended.

''(b) Report. - Not later than March 1 of each year, the President shall submit to Congress a report in classified and unclassified form (using the information described in subsection (a)(2)) describing, for each executive agency and for the executive branch as a whole, the following:

''(1) The amounts proposed to be expended for counterterrorism and antiterrorism programs and activities for the fiscal year beginning in the calendar year in which the report is submitted.

''(2) The amounts proposed to be expended for counterterrorism and antiterrorism programs and activities for the fiscal year in which the report is submitted and the amounts that have already been expended for such programs and activities for that fiscal year.

''(3) The specific counterterrorism and antiterrorism programs and activities being implemented, any priorities with respect to such programs and activities, and whether there has been any duplication of efforts in implementing such programs and activities.''

(Memorandum of President of the United States, Mar. 5, 1998, 63 F.R. 12377, delegated to Director of the Office of Management and Budget reporting functions of President under section 1051(b) of Public Law 105-85 set out above.)

TERMINATION OF REPORTING REQUIREMENTS

Pub. L. 104-66, title III, Sec. 3003, Dec. 21, 1995, 109 Stat. 734, provided that:

''(a) Termination. -

'(1) In general. - Subject to the provisions of paragraph (2) of this subsection and subsection (d), each provision of law requiring the submittal to Congress (or any committee of the Congress) of any annual, semiannual, or other regular periodic report specified on the list described under subsection (c) shall cease to be effective, with respect to that requirement, 4 years after the date of the enactment of this Act (Dec. 21, 1995).

'(2) Exception. - The provisions of paragraph (1) shall not apply to any report required under -

'(A) the Inspector General Act of 1978 (5 U.S.C. App.); or

'(B) the Chief Financial Officers Act of 1990 (Public Law 101-576) (see Short Title of 1990 Amendment note set out under section 501 of this title), including provisions enacted by the amendments made by that Act.

'(b) Identification of Wasteful Reports. - The President shall include in the first annual budget submitted pursuant to section 1105 of title 31, United States Code, after the date of enactment of this Act (Dec. 21, 1995) a list of reports that the President has determined are unnecessary or wasteful and the reasons for such determination.

'(c) List of Reports. - The list referred to under subsection (a) is the list prepared by the Clerk of the House of Representatives for the first session of the One Hundred Third Congress under clause 2 of rule III of the Rules of the House of Representatives (House Document No. 103-7).

'(d) Specific Reports Exempted. - Subsection (a)(1) shall not apply to any report required under -

'(1) section 116 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n);

'(2) section 306 of that Act (22 U.S.C. 2226);

'(3) section 489 of that Act (22 U.S.C. 2291h);

'(4) section 502B of that Act (22 U.S.C. 2304);

'(5) section 634 of that Act (22 U.S.C. 2394);

'(6) section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 2414a);

'(7) section 25 of the Arms Export Control Act (22 U.S.C. 2765);

'(8) section 28 of that Act (22 U.S.C. 2768);

'(9) section 36 of that Act (22 U.S.C. 2776);

'(10) section 6 of the Multinational Force and Observers Participation Resolution (22 U.S.C. 3425);

'(11) section 104 of the FREEDOM Support Act (22 U.S.C. 5814);

'(12) section 508 of that Act (22 U.S.C. 5858);

'(13) section 4 of the War Powers Resolution (50 U.S.C. 1543);

'(14) section 204 of the International Emergency Economic Powers Act (50 U.S.C. 1703);

'(15) section 14 of the Export Administration Act of 1979 (50 U.S.C. App. 2413);

'(16) section 207 of the International Economic Policy Act of 1972 (Public Law 92-412; 86 Stat. 648) (former 22 U.S.C. 2846);

'(17) section 4 of Public Law 93-121 (87 Stat. 448) (former 22 U.S.C. 2846);

'(18) section 108 of the National Security Act of 1947 (50 U.S.C. 404a);

'(19) section 704 of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5474);

'(20) section 804 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246; 104 Stat. 72);

'(21) section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f);

'(22) section 2 of the Act of September 21, 1950 (Chapter 976;

64 Stat. 903) (22 U.S.C. 262a);
 ''(23) section 3301 of the Panama Canal Act of 1979 (22 U.S.C. 3871);
 ''(24) section 2202 of the Export Enhancement Act of 1988 (15 U.S.C. 4711);
 ''(25) section 1504 of Public Law 103-160 (10 U.S.C. 402 note);
 ''(26) section 502 of the International Security and Development Coordination Act of 1985 (22 U.S.C. 2349aa-7);
 ''(27) section 23 of the Act of August 1, 1956 (Chapter 841 (probably should be section 515(b)(2) of Public Law 95-105); 22 U.S.C. 2694(2));
 ''(28) section 5(c)(5) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(c)(5));
 ''(29) section 14 of the Export Administration Act of 1979 (50 U.S.C. App. 2413);
 ''(30) section 50 of Public Law 87-297 (22 U.S.C. 2590);
 ''(31) section 240A of the Foreign Assistance Act of 1961 (22 U.S.C. 2200a); or
 ''(32) section 604 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469).''
 AUTHORITY TO INCREASE EFFICIENCY IN REPORTING TO CONGRESS
 Pub. L. 103-356, title III, Sec. 301, Oct. 13, 1994, 108 Stat. 3412, provided that:
 ''(a) Purpose. - The purpose of this title is to improve the efficiency of executive branch performance in implementing statutory requirements for reports to Congress and committees of Congress such as the elimination or consolidation of duplicative or obsolete reporting requirements and adjustments to deadlines that shall provide for more efficient workload distribution or improve the quality of reports.
 ''(b) Authority of the Director. - The Director of the Office of Management and Budget may publish annually in the budget submitted by the President to the Congress, recommendations for consolidation, elimination, or adjustments in frequency and due dates of statutorily required periodic reports to the Congress or committees of Congress. For each recommendation, the Director shall provide an individualized statement of the reasons that support the recommendation. In addition, for each report for which a recommendation is made, the Director shall state with specificity the exact consolidation, elimination, or adjustment in frequency or due date that is recommended.
 ''(c) Recommendations. - The Director's recommendations shall be consistent with the purpose stated in subsection (a).
 ''(d) Consultation. - Before the publication of the recommendations under subsection (b), the Director or his designee shall consult with the appropriate congressional committees concerning the recommendations.''

-SECRET-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 719 of this title.

-CITE-

31 USC Sec. 1114

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

(Sec. 1114. Repealed. Pub. L. 103-355, title II, Sec. 2454(c)(2),
Oct. 13, 1994, 108 Stat. 3326)

-MISC1-

Section, Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 916, related to
budget information on consulting services.

EFFECTIVE DATE OF REPEAL

For effective date and applicability of repeal, see section 10001
of Pub. L. 103-355, set out as an Effective Date of 1994 Amendment
note under section 251 of Title 41, Public Contracts.

-CITE-

31 USC Sec. 1115

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1115. Performance plans

-STATUTE-

(a) In carrying out the provisions of section 1105(a)(29),
(FOOTNOTE 1) the Director of the Office of Management and Budget
shall require each agency to prepare an annual performance plan
covering each program activity set forth in the budget of such
agency. Such plan shall -

(FOOTNOTE 1) See References in Text note below.

(1) establish performance goals to define the level of
performance to be achieved by a program activity;

(2) express such goals in an objective, quantifiable, and
measurable form unless authorized to be in an alternative form
under subsection (b);

(3) briefly describe the operational processes, skills and
technology, and the human, capital, information, or other
resources required to meet the performance goals;

(4) establish performance indicators to be used in measuring or
assessing the relevant outputs, service levels, and outcomes of
each program activity;

(5) provide a basis for comparing actual program results with
the established performance goals; and

(6) describe the means to be used to verify and validate
measured values.

(b) If an agency, in consultation with the Director of the Office
of Management and Budget, determines that it is not feasible to
express the performance goals for a particular program activity in
an objective, quantifiable, and measurable form, the Director of
the Office of Management and Budget may authorize an alternative
form. Such alternative form shall -

(1) include separate descriptive statements of -

(A)(i) a minimally effective program, and

(ii) a successful program, or

(B) such alternative as authorized by the Director of the
Office of Management and Budget,
with sufficient precision and in such terms that would allow for
an accurate, independent determination of whether the program
activity's performance meets the criteria of the description; or

(2) state why it is infeasible or impractical to express a
performance goal in any form for the program activity.

(c) For the purpose of complying with this section, an agency may

aggregate, disaggregate, or consolidate program activities, except that any aggregation or consolidation may not omit or minimize the significance of any program activity constituting a major function or operation for the agency.

(d) An agency may submit with its annual performance plan an appendix covering any portion of the plan that -

(1) is specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy; and

(2) is properly classified pursuant to such Executive order.

(e) The functions and activities of this section shall be considered to be inherently Governmental functions. The drafting of performance plans under this section shall be performed only by Federal employees.

(f) For purposes of this section and sections 1116 through 1119, and sections 9703 (FOOTNOTE 2) and 9704 the term -

(FOOTNOTE 2) See References in Text note below.

(1) 'agency' has the same meaning as such term is defined under section 306(f) of title 5;

(2) 'outcome measure' means an assessment of the results of a program activity compared to its intended purpose;

(3) 'output measure' means the tabulation, calculation, or recording of activity or effort and can be expressed in a quantitative or qualitative manner;

(4) 'performance goal' means a target level of performance expressed as a tangible, measurable objective, against which actual achievement can be compared, including a goal expressed as a quantitative standard, value, or rate;

(5) 'performance indicator' means a particular value or characteristic used to measure output or outcome;

(6) 'program activity' means a specific activity or project as listed in the program and financing schedules of the annual budget of the United States Government; and

(7) 'program evaluation' means an assessment, through objective measurement and systematic analysis, of the manner and extent to which Federal programs achieve intended objectives.

-SOURCE-

(Added Pub. L. 103-62, Sec. 4(b), Aug. 3, 1993, 107 Stat. 287.)

-REFTEXT-

REFERENCES IN TEXT

Section 1105(a)(29), referred to in subsec. (a), was redesignated section 1105(a)(28) of this title by Pub. L. 104-287, Sec. 4(1), Oct. 11, 1996, 110 Stat. 3388.

Section 9703, referred to in subsec. (f), probably means the section 9703 added by section 5(a) of Pub. L. 103-62, Aug. 3, 1993, 107 Stat. 289.

-MISC2-

CONSTRUCTION

Section 10 of Pub. L. 103-62 provided that: 'No provision or amendment made by this Act (see Short Title of 1993 Amendment note set out under section 1101 of this title) may be construed as -

'(1) creating any right, privilege, benefit, or entitlement for any person who is not an officer or employee of the United States acting in such capacity, and no person who is not an officer or employee of the United States acting in such capacity shall have standing to file any civil action in a court of the United States to enforce any provision or amendment made by this Act; or

''(2) superseding any statutory requirement, including any requirement under section 553 of title 5, United States Code.''

CONGRESSIONAL FINDINGS AND STATEMENT OF PURPOSES

Section 2 of Pub. L. 103-62 provided that:

''(a) Findings. - The Congress finds that -

''(1) waste and inefficiency in Federal programs undermine the confidence of the American people in the Government and reduces the Federal Government's ability to address adequately vital public needs;

''(2) Federal managers are seriously disadvantaged in their efforts to improve program efficiency and effectiveness, because of insufficient articulation of program goals and inadequate information on program performance; and

''(3) congressional policymaking, spending decisions and program oversight are seriously handicapped by insufficient attention to program performance and results.

''(b) Purposes. - The purposes of this Act (see Short Title of 1993 Amendment note set out under section 1101 of this title) are to -

''(1) improve the confidence of the American people in the capability of the Federal Government, by systematically holding Federal agencies accountable for achieving program results;

''(2) initiate program performance reform with a series of pilot projects in setting program goals, measuring program performance against those goals, and reporting publicly on their progress;

''(3) improve Federal program effectiveness and public accountability by promoting a new focus on results, service quality, and customer satisfaction;

''(4) help Federal managers improve service delivery, by requiring that they plan for meeting program objectives and by providing them with information about program results and service quality;

''(5) improve congressional decisionmaking by providing more objective information on achieving statutory objectives, and on the relative effectiveness and efficiency of Federal programs and spending; and

''(6) improve internal management of the Federal Government.''

CONGRESSIONAL OVERSIGHT

Section 8(a) of Pub. L. 103-62 provided that: ''Nothing in this Act (see Short Title of 1993 Amendment note set out under section 1101 of this title) shall be construed as limiting the ability of Congress to establish, amend, suspend, or annul a performance goal. Any such action shall have the effect of superseding that goal in the plan submitted under section 1105(a)(29) (now 1105(a)(28)) of title 31, United States Code.''

GENERAL ACCOUNTING OFFICE REPORT

Section 8(b) of Pub. L. 103-62 provided that:

''No later than June 1, 1997, the Comptroller General of the United States shall report to Congress on the implementation of this Act (see Short Title of 1993 Amendment note set out under section 1101 of this title), including the prospects for compliance by Federal agencies beyond those participating as pilot projects under sections 1118 and 9704 of title 31, United States Code.''

STRATEGIC PLANNING AND PERFORMANCE MEASUREMENT TRAINING

Section 9 of Pub. L. 103-62 provided that: ''The Office of Personnel Management shall, in consultation with the Director of the Office of Management and Budget and the Comptroller General of the United States, develop a strategic planning and performance measurement training component for its management training program and otherwise provide managers with an orientation on the

development and use of strategic planning and program performance measurement.'

-SECREf-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1105, 1116, 1117, 1118, 1119, 9703, 9704 of this title; title 5 section 306; title 15 section 638; title 40 section 1425.

-CITE-

31 USC Sec. 1116

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1116. Program performance reports

-STATUTE-

(a) No later than March 31, 2000, and no later than March 31 of each year thereafter, the head of each agency shall prepare and submit to the President and the Congress, a report on program performance for the previous fiscal year.

(b) (1) Each program performance report shall set forth the performance indicators established in the agency performance plan under section 1115, along with the actual program performance achieved compared with the performance goals expressed in the plan for that fiscal year.

(2) If performance goals are specified in an alternative form under section 1115(b), the results of such program shall be described in relation to such specifications, including whether the performance failed to meet the criteria of a minimally effective or successful program.

(c) The report for fiscal year 2000 shall include actual results for the preceding fiscal year, the report for fiscal year 2001 shall include actual results for the two preceding fiscal years, and the report for fiscal year 2002 and all subsequent reports shall include actual results for the three preceding fiscal years.

(d) Each report shall -

(1) review the success of achieving the performance goals of the fiscal year;

(2) evaluate the performance plan for the current fiscal year relative to the performance achieved toward the performance goals in the fiscal year covered by the report;

(3) explain and describe, where a performance goal has not been met (including when a program activity's performance is determined not to have met the criteria of a successful program activity under section 1115(b) (1) (A) (ii) or a corresponding level of achievement if another alternative form is used) -

(A) why the goal was not met;

(B) those plans and schedules for achieving the established performance goal; and

(C) if the performance goal is impractical or infeasible, why that is the case and what action is recommended;

(4) describe the use and assess the effectiveness in achieving performance goals of any waiver under section 9703 (FOOTNOTE 1) of this title; and

(FOOTNOTE 1) See References in Text note below.

(5) include the summary findings of those program evaluations

completed during the fiscal year covered by the report.

(e) An agency head may include all program performance information required annually under this section in an annual financial statement required under section 3515 if any such statement is submitted to the Congress no later than March 31 of the applicable fiscal year.

(f) The functions and activities of this section shall be considered to be inherently Governmental functions. The drafting of program performance reports under this section shall be performed only by Federal employees.

-SOURCE-

(Added Pub. L. 103-62, Sec. 4(b), Aug. 3, 1993, 107 Stat. 288.)

-REFTEXT-

REFERENCES IN TEXT

Section 9703, referred to in subsec. (d)(4), probably means the section 9703 added by section 5(a) of Pub. L. 103-62, Aug. 3, 1993, 107 Stat. 289.

-MISC2-

CONSTRUCTION

No provision or amendment made by Pub. L. 103-62 to be construed as creating any right, privilege, benefit, or entitlement for any person who is not an officer or employee of the United States acting in such capacity, and no person not an officer or employee of the United States acting in such capacity to have standing to file any civil action in any court of the United States to enforce any provision or amendment made by Pub. L. 103-62, or to be construed as superseding any statutory requirement, see section 10 of Pub. L. 103-62, set out as a note under section 1115 of this title.

-SECREP-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1115, 1117, 1118, 1119 of this title; title 40 section 1425.

-CITE-

31 USC Sec. 1117

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1117. Exemption

-STATUTE-

The Director of the Office of Management and Budget may exempt from the requirements of sections 1115 and 1116 of this title and section 306 of title 5, any agency with annual outlays of \$20,000,000 or less.

-SOURCE-

(Added Pub. L. 103-62, Sec. 4(b), Aug. 3, 1993, 107 Stat. 289.)

-MISC1-

CONSTRUCTION

No provision or amendment made by Pub. L. 103-62 to be construed

as creating any right, privilege, benefit, or entitlement for any person who is not an officer or employee of the United States acting in such capacity, and no person not an officer or employee of the United States acting in such capacity to have standing to file any civil action in any court of the United States to enforce any provision or amendment made by Pub. L. 103-62, or to be construed as superseding any statutory requirement, see section 10 of Pub. L. 103-62, set out as a note under section 1115 of this title.

-SECREP-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1115, 1118, 1119 of this title; title 40 section 1425.

-CITE-

31 USC Sec. 1118

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1118. Pilot projects for performance goals

-STATUTE-

(a) The Director of the Office of Management and Budget, after consultation with the head of each agency, shall designate not less than ten agencies as pilot projects in performance measurement for fiscal years 1994, 1995, and 1996. The selected agencies shall reflect a representative range of Government functions and capabilities in measuring and reporting program performance.

(b) Pilot projects in the designated agencies shall undertake the preparation of performance plans under section 1115, and program performance reports under section 1116, other than section 1116(c), for one or more of the major functions and operations of the agency. A strategic plan shall be used when preparing agency performance plans during one or more years of the pilot period.

(c) No later than May 1, 1997, the Director of the Office of Management and Budget shall submit a report to the President and to the Congress which shall -

(1) assess the benefits, costs, and usefulness of the plans and reports prepared by the pilot agencies in meeting the purposes of the Government Performance and Results Act of 1993;

(2) identify any significant difficulties experienced by the pilot agencies in preparing plans and reports; and

(3) set forth any recommended changes in the requirements of the provisions of Government Performance and Results Act of 1993, section 306 of title 5, sections 1105, 1115, 1116, 1117, 1119 and 9703 (FOOTNOTE 1) of this title, and this section.

(FOOTNOTE 1) See References in Text note below.

-SOURCE-

(Added Pub. L. 103-62, Sec. 6(a), Aug. 3, 1993, 107 Stat. 290.)

-REFTEXT-

REFERENCES IN TEXT

The Government Performance and Results Act of 1993, referred to in subsec. (c)(1), (3), is Pub. L. 103-62, Aug. 3, 1993, 107 Stat. 285, which enacted sections 1115 to 1119, 9703, and 9704 of this

title, section 306 of Title 5, Government Organization and Employees, and sections 2801 to 2805 of Title 39, Postal Service, amended section 1105 of this title, and enacted provisions set out as notes under sections 1101 and 1115 of this title. For complete classification of this Act to the Code, see Short Title of 1993 Amendment note set out under section 1101 of this title and Tables.

Section 9703, referred to in subsec. (c)(3), probably means the section 9703 added by section 5(a) of Pub. L. 103-62, Aug. 3, 1993, 107 Stat. 289.

-MISC2-

CONSTRUCTION

No provision or amendment made by Pub. L. 103-62 to be construed as creating any right, privilege, benefit, or entitlement for any person who is not an officer or employee of the United States acting in such capacity, and no person not an officer or employee of the United States acting in such capacity to have standing to file any civil action in any court of the United States to enforce any provision or amendment made by Pub. L. 103-62, or to be construed as superseding any statutory requirement, see section 10 of Pub. L. 103-62, set out as a note under section 1115 of this title.

-SECREf-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1115, 1119, 9704 of this title.

-CITE-

31 USC Sec. 1119

01/26/98

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE II - THE BUDGET PROCESS

CHAPTER 11 - THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

-HEAD-

Sec. 1119. Pilot projects for performance budgeting

-STATUTE-

(a) The Director of the Office of Management and Budget, after consultation with the head of each agency shall designate not less than five agencies as pilot projects in performance budgeting for fiscal years 1998 and 1999. At least three of the agencies shall be selected from those designated as pilot projects under section 1118, and shall also reflect a representative range of Government functions and capabilities in measuring and reporting program performance.

(b) Pilot projects in the designated agencies shall cover the preparation of performance budgets. Such budgets shall present, for one or more of the major functions and operations of the agency, the varying levels of performance, including outcome-related performance, that would result from different budgeted amounts.

(c) The Director of the Office of Management and Budget shall include, as an alternative budget presentation in the budget submitted under section 1105 for fiscal year 1999, the performance budgets of the designated agencies for this fiscal year.

(d) No later than March 31, 2001, the Director of the Office of Management and Budget shall transmit a report to the President and to the Congress on the performance budgeting pilot projects which

shall -

(1) assess the feasibility and advisability of including a performance budget as part of the annual budget submitted under section 1105;

(2) describe any difficulties encountered by the pilot agencies in preparing a performance budget;

(3) recommend whether legislation requiring performance budgets should be proposed and the general provisions of any legislation; and

(4) set forth any recommended changes in the other requirements of the Government Performance and Results Act of 1993, section 306 of title 5, sections 1105, 1115, 1116, 1117, and 9703

(FOOTNOTE 1) of this title, and this section.

(FOOTNOTE 1) See References in Text note below.

(e) After receipt of the report required under subsection (d), the Congress may specify that a performance budget be submitted as part of the annual budget submitted under section 1105.

-SOURCE-

(Added Pub. L. 103-62, Sec. 6(c), Aug. 3, 1993, 107 Stat. 291.)

-REFTEXT-

REFERENCES IN TEXT

The Government Performance and Results Act of 1993, referred to in subsec. (d)(4), is Pub. L. 103-62, Aug. 3, 1993, 107 Stat. 285, which enacted sections 1115 to 1119, 9703, and 9704 of this title, section 306 of Title 5, Government Organization and Employees, and sections 2801 to 2805 of Title 39, Postal Service, amended section 1105 of this title, and enacted provisions set out as notes under sections 1101 and 1115 of this title. For complete classification of this Act to the Code, see Short Title of 1993 Amendment note set out under section 1101 of this title and Tables.

Section 9703, referred to in subsec. (d)(4), probably means the section 9703 added by section 5(a) of Pub. L. 103-62, Aug. 3, 1993, 107 Stat. 289.

-MISC2-

CONSTRUCTION

No provision or amendment made by Pub. L. 103-62 to be construed as creating any right, privilege, benefit, or entitlement for any person who is not an officer or employee of the United States acting in such capacity, and no person not an officer or employee of the United States acting in such capacity to have standing to file any civil action in any court of the United States to enforce any provision or amendment made by Pub. L. 103-62, or to be construed as superseding any statutory requirement, see section 10 of Pub. L. 103-62, set out as a note under section 1115 of this title.

-SECFREF-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1115, 1118 of this title.

-CITE-